

Minutes
Village of Old Bennington Annual Meeting
May 13, 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/B2mSHf8OYarNZ2yt5TiDJVXEldCASrA_zEr5nVT_5XKE89epVdeMSy6hkWvlT1P2.XB1lZWld_y2Na6LZ?startTime=1747177249000

Passcode: 1#r^vstv

Officials present: Moderator Pat Winburn, Trustees Than Marcoux, Ed Woods, Tom Woodward, and Susan Wright; Auditor Kathy Wagenknecht, Treasurer Ron Rabidou, Clerk Mary Walsh, and Zoom operator McKinley Keaffaber.

Officials absent: Trustee Anne Slattery.

Citizens who spoke in the meeting: Christine Costello, Tamara Von Ouhl-Kremer, Mary Burrus, Marta Kozlowski, Anne Kremers, Colleen Kelley, Brian Scheetz, Charles Kozlowsky, and Nancy Coseo.

1. Call to order: The meeting was called to order at 7 p.m. by PW.
2. Citizen comments unrelated to agenda: None.
3. Reports of Commissioners:
 - a. Police Commissioner: EW said that speeding in the Village is an epidemic, and we're working with the Bennington County Regional Commission, which has done research on "traffic calming" methods. The Village will also be working with the Town of Bennington, which just got another "speed cart," its second. A speed cart is a lighted sign that tells passing drivers how fast they're going. It does not issue tickets. EW said the Town got a grant to buy the speed cart, so the purchase has no tax implications.

CC asked if the Village would be able to borrow a speed cart from the Town and Ed said yes because now the Town has two. He said he expected the speed carts to provide evidence of speeding, which would promote a discussion of traffic calming.

EW said that the Village had learned that the State no longer shares fine revenue with the municipality where a moving violation occurs. This has meant a sharp reduction in the amount of fine revenue the Village receives. (In the past, fine revenue was sufficient to cover the cost of our separate traffic patrol.)

In addition, the State of Vermont has stopped suspending the drivers' licenses of people who fail to pay their traffic fines. EW said Vermont is an anomaly among other states in this respect. Some states are so particular about fines being paid that they'll even form partnerships with neighboring states to catch non-payors. Because of Vermont's policy change, people now have less motivation to pay fines.

EW said the Town's Police Department has eight fewer officers than the 28 it would have at full strength. He said the Town continues to have trouble retaining officers. TV asked whether this was connected with a housing shortage. EW said Bennington pays less than other places, although there's a possibility that this will change, because the Town's police contract is up for renegotiation starting in September.

- b. Tree Commissioner: TW said he walked the streets of the Village every day and has observed that many of the trees are dying. He urged people to care for the trees, if they could. He said that the trees are old, and those close to the streets are additionally harmed by the salt that's used for de-icing in the winter.

MB asked if there was a community planning effort under way, or any available recommendations for home owners with declining trees. TW said he has drafted a set of recommendations for tree care, and he could also refer home owners to Cornell University's list of species that are less susceptible to salt damage. In addition, he said that over the past fiscal year the Village had spent less than half of the \$5,000 set aside for the replacement of dead or dying trees, and the Trustees

wanted to make it a permanent fund, so that any unspent money would carry over into the following year.

- c. Parks and Sidewalks Commissioner: SW said that the parks are healthy and the sidewalks are in good repair, and she asked anyone who saw something amiss in these areas to notify her. She also reported that all the streetlights are now L.E.D.s, which last longer and don't overheat, saving the Village money.

MK asked about plans for restoring the old fountain on the green in front of the Church. SW said she had researched the possibility of connecting it with running water, but she learned that the cost would be prohibitive.

CC asked about Pembroke's use of herbicides. SW said herbicides are used to keep weeds from taking root in the swales along the sides of Monument Avenue. If weeds grow there, their roots can damage the mortar that holds the cobblestones in place. If we didn't permit herbicides, the residents would have to pull weeds and baby trees out of the swales. SW said Pembroke tried to keep herbicide use minimal.

AK complained about residents' failure to pick up after their dogs. [Clerk' note: The Village is covered by the Town of Bennington's "Care and Control of Animals" ordinance, Article 9, which says at 9-7.03, "The owner of a pet shall remove and immediately and properly dispose of any waste created by the pet when the pet is not on the private property of the owner or authorized agent." Some residents of the Village are clearly in violation.] CK said she had participated in Vermont Green-Up Day by collecting litter on May 4 and wished to thank all others who took part.

- d. Roads Commissioner: TM said the Village had asked V-Trans to stop putting yellow center lines on Village streets; it has been documented that streets with yellow center lines are more prone to speeding.
- e. In addition, TM said that the Village had sent Requests for Proposals to six companies deemed capable of repairing Bank Street. They were asked to bid on two possible scopes of work: 1) Repairs mainly to fix the road, and 2) repairs to fix the road and make significant improvements in its drainage. The goal is to complete the work by the

end of this year, but in case the we can't, TM said the State of Vermont has given a one-year extension to its \$200,000 grant for repairing Bank Street.

Jan Buonanno asked if the project would include safety improvements. TM said there's not much room to widen Bank Street, and if it were widened it would most likely prompt people to drive faster. Consequently, there's no plan to widen Bank Street. The Trustees don't intend to add sidewalks either, but they will install a speed limit sign.

There was a discussion of adding stop signs or sidewalks to Bank Street. Pros: These could reduce danger and make it possible for residents to walk along Bank Street without having to wade through brush. Cons: Stop signs would increase noise, because of braking and accelerating; adding sidewalks would mean chopping down trees and reducing the canopy; adding sidewalks would add to the project cost; and the stop signs at the Monument/Elm and Fairview/Walloomsac intersections show that stop signs don't end the Village's speeding problem. EW said that by law, the Town of Bennington, not the State or the Village, is in charge of placing stop signs.

No decisions were made, but KW said these subjects could be added to the agenda of an upcoming Trustees' meeting for further discussion.

4. Auditor and Treasurer:

- a. Auditor KW said she had examined all the financial records created by Treasurer RR. She found that all documents were properly filed and backed up. She said the Village's accounts are in balance, with certain exceptions detailed by RR.
- b. Treasurer: RR said citizens could get all the financial details of the just-ended fiscal year from the Treasurer's Report on the Village website, but the main points were:

--The Village has a budget shortfall of about \$7,000, due to four parcels that are delinquent on their property taxes. (One delinquency dates back to 2020 and in that case the Village is working with the

Town on a tax sale; another delinquency may reach that stage in November; the other two have been delinquent for relatively short times. All time frames for responding to tax delinquencies are set by the State.)

--Jerome Construction hasn't billed the Village for snow plowing or salting from January through March, causing a budget discrepancy of between \$20,000 and \$30,000. (As it is, the Village closed fiscal 2025 with what appears to be a budget surplus – but that's only because the Village hasn't paid Jerome. The Village doesn't make payments until it gets an invoice. Efforts to get Jerome's invoice are continuing.)

--The Trustees have agreed to have a dedicated permanent tree-replacement fund, rather than simply budgeting the current amount, \$5,000 per year. This means that in the future, any budgeted tree-replacement money that is not used during a current fiscal year can be carried forward at the end of that year.

--Village legal expenses were lower than budgeted because work on the roads transfer initiative was halted.

RR then gave a summary of the Village's finances for the coming fiscal year. Road construction is going to be the big item in the new budget. The total cost of fixing Bank Street is not yet known, because the Requests for Proposals have not yet received responses. But in the meantime, RR budgeted a total cost of \$500,000, since the Village can't afford more than that. The Village would pay \$300,000, and the State's grant would pay \$200,000.

The Village now has an established policy of matching its road-tax rate to the Town's, with a one-year lag. Our road-tax rate will increase to \$0.4962 per hundred-dollar assessed value, in keeping with that policy. Last year, the Village's road tax-rate was \$0.4761.

The Trustees will hold the general-tax rate flat at \$0.0400 per hundred-dollar assessed value. The average between the two, or the Overall Tax Rate, will be \$0.5362 per hundred-dollar assessed value, which is a 3.8 percent increase from the last fiscal year.

BS asked whether any houses in the Village would be reassessed this year. EW said the Town of Bennington has entered into a contract with an outside valuation firm to reassess the houses over the next three years. State law mandates that a municipality's market value and assessed value cannot be more than 20 percent apart for more than a certain period; if they are, then that jurisdiction has to have a reassessment. RR said that Bennington's reassessment is not expected to cause an increase in the actual taxes that residents pay. If the assessed value rises, it's typical for the tax rate can fall by a corresponding amount. In other words, a reassessment is not an automatic tax increase.

RR said he wanted to clear up a misunderstanding about the Village's failure to build the cost of road maintenance into its road-tax rate in prior years. He said that Arnold Riggs, a former Road Commissioner, had said in 2012 that Old Bennington had to repair Bank Street. The Village should have responded by increasing its tax rate that year and in subsequent years, to build up a reserve to pay for the necessary work. But it didn't do so. It held the tax rate flat. Old Bennington's challenge now is to come up with the money it should have been collecting little by little all those years.

CK recalled that years ago Old Bennington's roads were the envy of every other town in Bennington County, because volunteers worked hard to get a fair share of any State money available for roads. But at some point the State stopped making much money available for the kind of roads we have in Old Bennington.

In response to a question about the Village's decision to hire its own Zoning Administrator, BS (the current Planning Commission chair) explained that State law and Village bylaws require Old Bennington to deal with land-use issues. The Planning Commission consists of volunteers, and in the past, they delegated administrative duties to the Town of Bennington's administrative officer. But in the past few years there has been a great deal of turnover in that position. EW said that before hiring the Village's own Zoning Administrator, the Trustees researched the job market and raised the amount necessary to hire and retain a part-time administrator. The Village needs longevity in this position because volunteer Trustees and Commissioners come and go, and the Village needs a Zoning Administrator with

institutional memory. With David Kiernan we have an expert who understands our bylaws and ordinances, and we want him to stay in the job.

KW moved to approve the fiscal 2026 budget, as presented by RR. BS seconded the motion. The motion passed, with one vote against it.

EW moved to approve the new tax rates, as presented by RR. The tax rates were unanimously approved.

5. Election of Trustees and Officers:

- a. After receiving no other nominations, the residents unanimously elected SW to a new two-year term as a Trustee.
 - b. After receiving no other nominations, the residents unanimously elected EW to a new two-year term as a Trustee.
 - c. PW notified the residents that Anne Slattery is moving away, creating a vacancy for her seat as Trustee, and Jim Thatch has volunteered to fill it. After receiving no other nominations, the residents unanimously elected JT to the Board of Trustees.
 - d. After receiving no other nominations, the residents unanimously re-elected KW to a one-year term as Village Auditor.
 - e. After receiving no other nominations, the residents unanimously re-elected MW to a one-year term as Village Clerk.
 - f. After receiving no other nominations, the residents unanimously re-elected RR to a one-year term as Village Treasurer.
 - g. After receiving no other nominations, the residents unanimously re-elected PW to a one-year term as Moderator.
6. Old business: RR thanked NC for her service as Planning Commission chair for many years, at a time when the Commission had an extraordinary workload.

7. Adjournment: EW moved to adjourn the meeting. NC seconded the motion and the meeting was unanimously adjourned.