

Village of Old Bennington  
Trustees' Meeting Minutes  
March 3, 2026

The meeting was held at The Barn and on Zoom. Our much-appreciated Zoom technician, Mckinley Keaffaber, was out of town receiving a scholarship on March 3, and was therefore unable to produce a Zoom recording. If one becomes available through another source, a link will be added to these minutes.

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

Officials absent: Trustee Tom Woodward, and Zoom operator Mckinley Keaffaber.

Village residents who spoke: Andrew Buchsbaum, Suzanne Buchsbaum, Renny Ponvert, Galen Jones, Nancy Coseo; and Thomas Scheetz and Brian Scheetz on Zoom.

1. EW called the Trustees' meeting to order at 7:09, at the close of the public portion of a Board of Tax Abatement meeting.
2. Changes or updates to the Agenda: EW gave the floor to Jonah Spivak, communications officer of the Town of Bennington, who spoke about a new plan taking shape for the 250<sup>th</sup> anniversary of the Battle of Bennington, in 2027. (A previous plan to create a walking trail near the Monument is on hold for now.)

JS said the new plan was to recreate, in mock fashion, the Catamount Tavern, where activities relevant to the Battle of Bennington took place, such as meetings of Ethan Allen and the Green Mountain Boys. The replica would be a big tent on the lawn of The Barn, with two sides of the tent printed to look like the Catamount Tavern. It would serve as a 250<sup>th</sup> anniversary Welcome Center. (The Monument can't fill that role because it needs repairs that may not be done in time.) JS said there could be beverages and food, and maybe a working replica of the chair that was used to hoist a local Tory up to the top of the tavern signpost and make him sit up there for a couple of hours.

JS said the estimated cost is around \$10,000, including about \$6,000 for printing the tent material. The planners had sought a grant to help pay it. They first submitted a pre-proposal and were invited to go ahead with a full grant proposal, and JS said he thought the chances of getting the grant were excellent.

JS said that the planners wanted to be sure they had the support of the Trustees for this project, and to find out about any Village requirements that the installation would have to meet.

Andrew Buchsbaum asked what material the tent would be made of. AS said it would be air-permeable vinyl mesh, which can be printed to look like a building façade. He said Charles Dewey was taking the lead on framing the tent, and he was planning the framing and structural elements carefully. (CD is also a Trustee of the Old First Church, which owns the lawn where the tent would be.)

EW asked who was handling the grant management. JS said he was. JT said JS had his full support, and he wanted the Village to get involved in JS's plans, perhaps with residents serving as re-enactors who could explain the Battle of Bennington. JS said the idea first came up in 2019, and of all the ideas floated so far, this was the one that had captured the most interest.

Renny Ponvert said it appeared that the State had dropped out of the anniversary planning and he wanted to know what steps it was taking to move things forward. Galen Jones said the State had put up a "temporary" safety fence around the Monument a long time ago, and he wanted to know what plans the State had for removing it. JT said the State was not ignoring the Monument's physical problems, but its broken elevator had officials stumped. They thought it would be very expensive to fix the elevator, and then it would probably just break down again. JS said there would be a meeting in April where anniversary plans would be discussed, and it would be wise to invite the whole Bennington legislative delegation to be there.

JS asked the Trustees to affirm their support of the current plans with a vote. JT moved for a vote of support for the plan. EW seconded the motion, and support was unanimous. JS also asked the Trustees to let him know about permitting requirements. EW said the Planning Commission would work with JS on that.

MW asked what was going on with the walking trail JS had previously proposed for the anniversary. JS said the planners had missed the most recent grant-application cycle. The grant they had in mind required matching money, and they weren't sure whether the Town or the Village would provide the matching funds. More recently he had learned that in-kind donations were acceptable, and the Town of Bennington was willing to donate materials. The Village could do the same. But the next grant application cycle wouldn't be until October. He said the walking trail would also require satisfactory plans for protecting the abutting properties.

EW said the Trustees could put the walking trail on the agenda for April or May, and JS could return and brief the Trustees on plans for a grant application then.

Thomas Scheetz said he supported the idea of a walking trail but he was concerned about the possibility that it could lead the way to a road being built there. (The walking path, if

built, would follow an unused road right-of-way which is currently very wild and overgrown.)

Note that JS's sketches of the Catamount Tavern replica are also posted in the Minutes section of the Village website.

3. Approval of the minutes from two February Trustees' meetings:
  - a. Minutes of the public hearing on Feb. 2, 2026, when The Walloomsac Property LLC's application for a Conditional Use Permit was discussed: JT moved to approve the minutes; TM seconded the motion, and the minutes were unanimously approved.
  - b. Minutes of the regular Trustees' meeting of Feb. 3, 2026: TM moved to approve the minutes; JT seconded the motion; EW abstained from the vote because he wasn't at the meeting, and the minutes were accepted.

4. Citizen comments not related to the regular Agenda:

A group of Village residents proposed re-establishing a Nominating Committee, which in years before the pandemic had created a list of nominees for the Board of Trustees and made background information available to voters ahead of the vote. (Trustees are elected to two-year terms at the Village's annual meeting, with two seats coming open in even years and three seats in odd years. The proposed Nominating Committee might also identify candidates for other Village offices.)

Suzanne Buchsbaum, one of the proponents, recalled that the pre-pandemic Nominating Committee had reached out to residents who might be interested in serving on the Board of Trustees, the Planning Commission and the Zoning Board. She thought the process generated an awareness of Village issues and an enthusiasm for working on them. If former Board members served on the new Nominating Committee, they could explain to possible candidates what the positions involved. Andrew Buchsbaum said it would be a more deliberate process than just letting people turn up at the annual meeting and announce their candidacies.

There was a discussion of whether the Nominating Committee would interview both current officials and prospective candidates; whether information about candidates would appear in the Village Annual Report; whether term limits should be considered; and whether there were already volunteers for the Committee. Nancy Coseo said the Committee could hold informational meetings, so that all interested Village residents could learn about the three boards and what they do. KW said it would be useful to ask for Rick Caswell's help in getting the process started because he served on the old Nominating Committee for many years. EW said he would reach out to RC.

5. Reports of Commissioners:

- a. Roads Commissioner: TM said he had been working on a maintenance plan and budget for the coming fiscal year, which he would elaborate during the budgeting portion of the meeting.
- b. Trees Commissioner: TW was absent but had told EW he had no news.
- c. Parks and Sidewalks Commissioner: SW said she had received Pembroke Landscaping's contract for park maintenance in the coming fiscal year and signed it because the prices were about the same. She said she still needed to authorize Pembroke to do weed control. EW confirmed right-of-way spraying was needed.
- d. Police Commissioner: JT said there were no reported police incidents in the past month.

He said was still working on traffic-calming signs, but had not yet received citizen feedback on the images posted on the Village website. He confirmed that the Village would first buy an electronic speed sign, and then assess the resources remaining for the other signs. He hoped to start out with two of them.

NC asked if the 25-mph sign that had fallen over on Bank Street would be replaced. EW said yes, once the ground had thawed.

- e. Presiding Officer: EW said the Board needed to reconfirm its vote, on Feb. 2, approving the issuance of a Conditional Use Permit for The Walloomsac Property LLC. All Trustees present voted in favor, and a copy of the Conditional Use Permit, attested by the Village Clerk and certified by the Presiding Officer, has been posted on the Village website, under the "Board of Trustees" tab, in the Minutes section.

6. Report of the Treasurer:

- a. RR gave a brief update on the Tax Sale for 18 Walloomsac Road. He said the date had to be pushed back to April 24 because of paperwork requirements. He said both the Village and the Town were aware of public concerns that the owner, Tzaims Luksus, was 94 years old, indigent and mercurial. He said that he had given Mr. Luksus contact information for law firms that provide free legal aid to the indigent elderly, but Mr. Luksus had made no effort to get in touch with them. Town officials have tried in the past to reschedule Mr. Luksus's tax payments on easier terms, but Mr. Luksus still made no payments. For that reason, Town officials had concluded that there was no point in deferring the Tax Sale further. On April 24, at an auction, the Town and Village will bid the amount of taxes, interest and penalties due on the property. If there are third-party bidders, the price will go higher, with Mr. Luksus receiving the proceeds in excess of what's due to the Village and the Town. By Vermont law, Mr. Luksus will then have one year when the deed stays in escrow. He

can try to cure other debts, prevent new tax delinquencies from accruing, and deal with the contents of the house.

- b. RR then reported on the bills received in the past month. The list is available under the “Board of Trustees” tab on the Village website, in the Treasurers’ Report section. RR noted that this month included unusual legal expenses in connection with the coming Tax Sale and the resolution of zoning issues for the Walloomsac Inn.
- c. The delinquent tax report can be found at the same place on the Village website. RR said the Village is currently due a total \$23,000. The law bars it from foreclosing on the properties until the taxes are at least two years overdue.
- d. RR and the Trustees then worked on the FY 2027 budget. RR said the tax rate would be based on the tax rate used by the Town in FY 2026. (The Village can’t use the Town’s FY 2027 tax rate because the Town works on a different fiscal year and doesn’t set its tax rate until after the Village has completed its budget.)

RR recalled that the Village took in an unusually large amount of permit fees from the Museum in FY 2026, because of the Museum’s big capital improvement plan. He asked Brian Scheetz if something like that would happen with the work on the Walloomsac Inn. BS said that would depend on the time and the nature of the work that gets done in FY 2027, and he didn’t think the Village could really count on any amount. RR said he would put \$1,500 into the FY 2027 budget, and maybe more revenue would appear later.

There was a discussion of line items for the Planning Commission, particularly the cost of hiring the BCRC to consult on the forthcoming Plan of Economic Development. The BCRC’s contract was for \$29,000. In the current fiscal year they have billed only \$12,000 so far. (The Village got a \$29,000 grant for this, and while the \$29,000 is listed as revenue in the budget, the money hasn’t been disbursed yet.)

On expenditures for road maintenance, TM said he had reviewed the cost estimates from MSK’s 2019 roads report, then drove around the Village with Norm LeBlanc (highway superintendent of North Bennington) to reassess what had to be done. NL made cost estimates, based on Old Bennington buying its materials together with North Bennington, which would lower the cost. NL believed it would cost \$80,000, over about two years, to do one-third of the work that MSK had recommended in its 2019 report. But if they did half the recommended work over those same two years, it would cost about \$120,000. That would be an aggressive schedule, and it would mean spending more money than the Village will receive in taxes in those two years, but it would allow the Village to catch up on required maintenance that has been deferred in recent years. The plan would have the Village lay down new black tar and surfaces on its roads, but the repairs wouldn’t be as far-reaching the work on Bank Street, because the foundations of the Village’s other roads are still good.

As for the 17 Village storm sewers in need of repair, TM said NL had looked at the damage carefully and estimated that repairing each drain would cost about \$3,500. If the Village planned to fix nine or 10 storm sewers in FY 2027, they should budget \$35,000.

RR said it sounded like a good deal. TM said that the plans called for NL and his crew to run their equipment on the Village's roads, as they had done on Bank Street. That would both provide revenue to North Bennington and save Old Bennington a lot of money. Two years from now, when the deferred maintenance has been finished, the Village's annual construction budget will go down, and saving can resume for big projects in the future. Meanwhile, TM stressed that it's very important to keep up with required maintenance. Now that the Village has a plan, the Village should follow it.

There was a discussion of the cost of the extensive snow plowing and salting that has had to be done this winter. TM said the Village had been testing the terms of a new type of contract this year, and the terms were paying off for the Village.

RR said it didn't really make sense for the Village's fiscal year to end on March 31, when the new fiscal year's budget was not approved until mid-May. He said it would make sense for the Village to make the transition to the same fiscal year as the Town of Bennington and the State.

There was a discussion of budgeting for sidewalk repairs. Sidewalks that weren't repaired in the last round now needed attention, and SW said the cost could be about \$30,000. TM recalled that the first time he met NL, in North Bennington, NL pointed to a sidewalk his crew had just installed and said sidewalks were always very expensive. TM said he could ask NL for a sidewalk repair estimate, but NL probably wouldn't be able to do the job in the coming fiscal year. RR suggested budgeting \$25,000 for sidewalks, knowing taxpayer pushback was likely. KW said AB might be able to help estimate sidewalk costs, because of his experience with sidewalks several years ago. JT said that the BCRC's recent survey showed that residents really want the Village to be walkable, which means having sidewalks. SW said that if any of the sidewalks now made out of marble needed repairs, the Village should make efforts to preserve the marble. At the end of the discussion, \$30,000 was budgeted for sidewalks.

- e. Auditor: KW said there was nothing to report.
- f. Old Business: None.
- g. The Trustees' meeting was paused to give the Tax Abatement Board time to complete its deliberative session on Tzaims Luksus's request for abatement.

- h. At the end of the deliberative session, TM moved to adjourn the meeting, JT seconded the motion, and the meeting was unanimously adjourned at 9:08. A written decision on the request for tax abatement will follow.