

Board of Trustees Meeting
Tuesday, November 7, 2023
7:00PM – Village Depot Offices
North Bennington

The Village of North Bennington Trustees held a meeting for business on November 7, 2023, at 7:00 pm. This meeting was held in person and by video and telephone conference via Zoom. This is in accordance with H.681 (section 6.); addendum 01-20/Act 92.

Trustees Rogers, Creedy, Mullineaux, and Lowary along with Treasurer Buggee, attended the meeting in person.

Also, in attendance – Kim Hall, Chris Damon, Keith Cross

Also in attendance via Zoom were Trustee Patterson, Steve Lennox and CAT - TV

Trustee Rogers opened the meeting at 7:00 PM.

Citizen Comments: NONE

Approval of minutes:

- A motion was made by Trustee Creedy to approve the minutes from the October 10, 2023 with one minor correction and October 20, 2023 meetings. This was seconded by Trustee Patterson. Motion passed unanimously.

Warrants and Bills:

- A motion was made by Trustee Mullineaux to approve the November Warrant. This was seconded by Trustee Creedy. Motion passed.
- Discussion of the Late October warrant details was conducted. A motion was made by Trustee Patterson to approve the Late October Warrant. This was seconded by Trustee Mullineaux. Motion passed.
- A motion was made by Trustee Patterson to approve the October Payroll Warrant and seconded by Trustee Mullineaux. Motion Passed.
- All votes were unanimous.

Highway Report:

- Project updates:
 - paving, Hall Street
 - RFP for Engineering Design - Traffic Calming West/Water Streets. In response to citizen comments and request for action, Norm and Trustee Rogers met with BCRC. Mark Anders drafted the attached and Norm and Mary made some edits. The attached was explained and discussed. A motion was made by Matthew Patterson and seconded by Scott Creedy to proceed with the study. This was so voted by all Trustees present.

- Update on Vegetation Control project at Prospect and Sage St bridges – This will happen on November 20th.
- Report on sale of surplus equipment and new equipment needs
- End of Park Street has been paved.
- Harlan Road has been paved.
- Winter maintenance is in progress.
- Leaves should not be placed in the road.
- Overlea Road Grant paperwork has been submitted and approved.
- The Depot roof is in the process of being repaired and painted. Discussion of what work needs to be done.

Fire Department:

- Ray Mullineaux gave an update of the Firehouse chimney. Several repairs were made.
- Ray Mullineaux discussed that on November 3, 2023, Darren Sharp did inspect the chimney at the firehouse. Ray discussed his findings.
- Ray will ask Darren Sharp to order the cap needed. Matthew Surdam will do some assessment work soon.
- Mary Rogers made a motion to allow Ray to continue overseeing the necessary repair work at a reasonable expense on the chimney work at the firehouse. This was seconded by Scott Creedy and so voted by all Trustees.
- The second part of the Commercial Energy Grant has been awarded to complete the energy audit. These audits will be done on 11/16.

Treasurer Report:

- In person tax collection hours have been posted and attended to.
- Doug discussed the village Comcast and Fidium accounts.
- Doug has met with Community Bank last week regarding an account review. We will be able to make several changes based on their new options for Municipal accounts.
- Insurance increases will be forthcoming.

Development Review Board: NONE

Planning Commission -

- Progress report - Kim Hall presented a progress report on the Land Use and Development Regulations / Zoning Bylaw. The report was presented in the slide show format and hard copies are also available upon request.

Water Department: NONE

New Business:

- Citizen complaints regarding Cannabis growing - Municipal Cannabis guidance – This document was sent to Trustees for review prior to discussion. This guidance document is recommended by VLCT. Trustee Rogers discussed the opt-in, opt-out provision to perhaps be included in the Annual Meeting agenda.
- Water Department Land Use – Trustee Rogers responded to a complaint regarding the anonymous letter stating that the Shaftsbury Beagle Club had deforested and fenced in a portion of the Water Department's land. Ted Fela, Superintendent, and Jim Ostrander walked the property lines in the area of concern and report that the Shaftsbury Beagle Club has not infringed upon Water Department property. The fenced area was completed approximately ten years ago and has not been altered since it was installed. The yellow blazes, that are mentioned in the complaint, are not the Beagle Club's. Jerry Elwell and Water Department employees used yellow blazes to mark the Water Department's property line before 2009. A picture from the day Water Department personnel walked the property line is attached showing a tree on the property line with a yellow mark and a "Hunting, Shooting, or Trapping Prohibited" sign. Jim Ostrander is pointing to the property pin. This is just outside the Beagle Club fence in the area questioned. The map, from the On X-Hunt app, that was included with the complaint is incorrect. The area in question is in fact owned by the Shaftsbury Beagle Club.

Additionally, Ted Fela spoke with Steve Peckham, President of the Beagle Club. He is aware of the complaint. Before purchasing the land, he had it surveyed and has the original survey map. Mr. Peckham and Ted are meeting at the Water Department office to review the map and make copies.

Ted Fela reports the Shaftsbury Beagle Club has been an excellent neighbor. Any work they performed in the past was communicated to Water Department personnel and Board members well before any action took place to make sure they would not adversely impact the Water Department.

- Budget Planning Meetings were discussed. The following schedule of meetings was proposed:
- VILLAGE OF NORTH BENNINGTON
- 2024/2025 BUDGET PLANNING MEETINGS
 - Tuesday December 5 Present and discuss specific projects, needs and preferred purchases 7:00 - 7:30 Highway Expenses
 - 7:30 - 8:00 Fire Department Expenses
 - 8:00 - 8:30 General expenses
- Tuesday December 12 Monthly Trustee Meeting
 - Follow up if needed on specific questions resulting from December 5 meeting

- Recommendation to have a special meeting on Thursday December 14 for other organizations to present and discuss specific projects, initiatives and requested funding was changed after discussion to include such on December 12th. Follow up may require a special meeting in January.
- Tuesday January 9, 2024 Monthly Trustee Meeting

Old Business:

- Update on records retention project – Trustee Rogers presented the Records Retention Policy. She explained this in detail. A motion was made by Ray Mullineaux and seconded by Matthew Patterson to ADOPT The Records Management and Retention Policy. The table at the end is an ongoing document, and while presented with the policy is meant to update as needed. Thus, the policy itself remains effective. This was so voted by all Trustees present.

Version 11/4/23

VILLAGE OF NORTH BENNINGTON RECORDS MANAGEMENT POLICY & RETENTION PLAN

I. PURPOSE

All Vermont public agencies are responsible for creating, managing and disposing of records in accordance with State and Federal laws and regulations. This policy is to ensure that all Village of North Bennington employees and managers conform with and are aware of those mandates.

II. SCOPE

All Village of North Bennington (Village) records are public records defined by 1 V.S.A. § 317 as: “any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business.”

III. POLICY STATEMENT

It is the policy of North Bennington to comply with 1 V.S.A. Chapter 5, Subchapter 3 (referred to as “Vermont’s Public Records Laws”.) All written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the normal course of town/city business, shall be managed in accordance with the Record Retention Schedule below.

IV. UNIFORM LAWS, STANDARDS, AND PROCEDURES

a. 1 V.S.A §§315-320: Access to Public Records, including V.S.A. § 317A: Disposition of Public Records

<https://legislature.vermont.gov/statutes/chapter/01/005>

b. 3 V.S.A. § 117: Vermont State Archives and Records

Administration <http://legislature.vermont.gov/statutes/section/03/005/00117>

c. 3 V.S.A. § 218: Agency/Department Records Management Program

<https://legislature.vermont.gov/statutes/section/03/009/00218>

d. Archives and Records Management Standards and Best Practices

<https://sos.vermont.gov/vsara/manage/information-governance/standards/>

V. GENERAL RECORD SCHEDULES and DISPOSITION ORDERS Vermont State Archives & Records Administration's (hereafter referred to as VSARA) General Record Schedules (GRS) shall govern the management of records, specifically access, retention, and disposition. In limited circumstances Disposition Orders (DO) may continue to be used until superseded by GRS.

In a few instances VSARA has yet to issue a GRS to define the retention period. These documents will be retained until a ruling has been made.

- Ordinance 13 – Discharge of Firearms to be discussed at the December meeting

Trustee Lowary made a motion to enter into an executive session for the purpose of personnel at 9:25 PM. This was seconded by Trustee Patterson and so voted.

At 9:30 PM regular/open session resumed.

Trustee Mullineaux made a motion to adjourn the meeting at 9:36 PM. This was seconded by Trustee Creedy and so voted.

Lorine Elwell

Village Clerk

Village of North Bennington