

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – March 3, 2010

Selectmen Philip Germain, Steven Osienski and Joseph Cuddemi were present as well as Administrator Denise French. The meeting was called to order at 5:40 p.m.

From 5:48 p.m. until 5:55 p.m. the Selectmen and Highway Department personnel met in Nonpublic Session under RSA 91-A:3II(a) to discuss a plowing incident. Present were Selectmen Philip Germain, Steven Osienski and Joseph Cuddemi, Administrator Denise French, Gary Russell and Gary Langlois. No decisions were made.

- Planning Board Chair Jeffrey Rose, Road Agent Gary Russell and Applicant Scott Liljeberg met with the Selectmen to discuss Driveway Permit applications recently put forth by Mr. Liljeberg. The group reviewed tax maps identifying the four proposed driveways which will serve a total of six lots. The owner is desirous of building/paving all of the driveways at one time while being conscious of the Town's plans to improve drainage along both sides of Bible Hill Road – dependant on Town funds being available. Mr. Liljeberg agreed to postpone the installation of driveways to a date not later than November 2011 to allow the Highway Department ample opportunity to finish their drainage projects. For this consideration the Selectmen agreed to postpone collection of four escrow bonds until the Highway Department undertakes drainage construction. Without Mr. Liljeberg's cooperation there would be undue cost to the property owner and the Town if the driveways were installed prior to the Highway Department's completion of drainage improvements. A draft letter to this affect will be reviewed at the March 10th Selectmen's meeting.

Road Agent Gary Russell and the Board of Selectmen discussed the following:

- A Birch Road property owner is seeking permission to improve the road in his neighborhood. Since the "road" is actually a private right-of-way the Town has no authority in the matter.
- In response to a complaint received about the travel width of Acre Street the Road Agent plans to remove another four feet of snow banking to enhance safe passage.
- Discussed the conditions of the new sidewalks and curbing where some have cracked, heaved or separated from each other. Representatives of Fay, Spofford & Thorndike will be invited to tour the TEP area with the Road Agent and perhaps the local NHDOT representative.
- Class V roads have been posted with a 6-ton weight limit due to spring thawing conditions.
- Operations at the Transfer Station were reviewed. A draft job description will be reviewed at the March 10th meeting in anticipation of receiving an employee's resignation.

Code Officer Peter Hopkins met with the Selectmen and discussed the following:

- Photos of the Champagne property were put forth for the file. Scott Champagne has authorized Mr. Hopkins to visit the property for the purpose of inventorying items and taking photographs. Chairman Germain and Mr. Hopkins plan to meet on site March 27th at 9:30 a.m. to develop a detailed inventory list of items stored outside at M7/L111.

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- A Cease and Desist letter has been delivered to Rex Gray for non-permitted occupancy of the second floor at a building undergoing renovations at 584 Frankestown Road.
- Hopkins will communicate with the owner of M12/L40 about the need for a variance due to a Town error.
- Hopkins will follow up with the owner of M10/L50 regarding the need for railings.
- Hopkins will follow up with the owner of M22/L1A regarding construction without a Building Permit.
- Hopkins will post notice at M9/L9 regarding a failed septic system at this vacant property.

Water/Sewer Commissioners Glenn Wilson, Salvatore Landi and John Spanos met with the Selectmen and discussed the following:

- Reported on their tour of Monadnock Paper Mill facilities. The Commissioners were impressed with the facility and its recording of water and sewer usage. Based on this firsthand knowledge the Commissioners voted not to change the utility billing arrangement.
- The Commissioners reported their disagreement with the Selectmen that a sewer abatement should continue to be processed for a homeowner who, years ago, installed a meter on his water spigot. The Commissioners are of the opinion that the homeowner would need to install a flow meter to qualify for a reduction to his sewer bill.
- The Commissioners reported their six month review of water and sewer financial records. After much discussion it was jointly agreed by the Commissioners and the Selectmen to raise the water rates 13% and the sewer rates by 20%, effective in July with notification to the customers being included with their April utility bills.
- The Commissioners are working on their Departments' Five/Ten Year Plans.

From 8:15 p.m. until 8:30 p.m. the Selectmen and Water/Sewer Commissioners met in Nonpublic Session under RSA 91-A:3II(c) to discuss an operations concern. Present were Selectmen Philip Germain, Steven Osienski and Joseph Cuddemi, Administrator Denise French and Commissioners Glenn Wilson, Salvatore Landi and John Spanos. No decisions were made.

In other matters the Selectmen acted as indicated:

- Reviewed and approved the February 17, 2010 Selectmen's Minutes.
- Reviewed a courtesy copy of the March 2, 2010 Fire Department Minutes.
- Reviewed and approved the Accounts Payable and Payroll Registers for February 24, 2010.
- Reviewed and approved the Accounts Payable and Payroll Registers for March 3, 2010.
- Received with appreciation a report from the Planning Board entitled "2009 Workforce Housing Purchase and Rent Limits, RSA 674:58-61", as prepared by member Barry White. The Selectmen will invite Mr. White in for a visit to discuss his report.
- Reviewed, for the first time, a Fee Agreement for Legal Services between the Town of Dublin and the Town of Antrim which enables the Regional Prosecutor, Attorney Michael Beausoleil, to represent the Dublin Police Department for arraignments, juvenile hearings, probable cause hearings, and misdemeanors and violation prosecutions, as well as any Administrative hearings on behalf of the Dublin Police Department as requested by the Police Chief at a cost of \$625.00

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per month. The effective date of the Agreement is March 4, 2010. Chairman Germain and Police Chief Steve Campbell both signed the Agreement but with reservations about the lack of information to the Town in a timely manner. A draft letter to this affect will be reviewed at the March 10th Selectmen's meeting.

- February Police Statistics were reviewed.
- Received notice from East Coast Recycling that rental fees will be imposed if the e-waste container is not rotated at least three times per year. The Town rotated their containers three times in 2009.
- Instructed the Administrator to request from the Fire Chief access to the Firehouse Software program for payroll purposes.
- Authorized Kristie LaPlante to present the Town's proposed TEP2 project to NHDOT on March 15th. The Transportation Enhancement Advisory Committee has decided that the statewide rankings of proposed applications would be used to screen the project presentations in a 3-tier system.
- Tabled for lack of time the Risk Management Report put forth by Steve Campbell, Chairman of the Joint Loss Management Committee.
- Reviewed the Tri-Town Landfill 2009 Annual Post-Closure Report.
- Acknowledged receipt of six Abatement applications; three of the six applications met the criteria for filing an 2009 Inventory of Taxable Property and will be forwarded to the Town's assessor.
- Received the list of positions/offices that need 2010 appointments.
- Finalized arrangements for personal phone calls to be made to individuals who participated in prior years' elections to remind them of the importance of 2010 voting and support of the Budget and Capital Reserve warrant articles.
- Signed the revised Certification Page of the Financial Report.
- Authorized payment of sick time and prorated vacation time for a departing employee.
- Authorized an Employee Time-off Request.

The meeting adjourned at 10:13 p.m.

Respectfully submitted by:

Denise French
Town Administrator