

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – November 7, 2007

Selectmen Philip Germain, Joseph Cuddemi, and James Trow were present, as well as Administrator Denise French, Assistant to the Administrator Kristie French, and Monadnock Ledger-Transcript Reporter Sam Bonacci. The meeting was called to order at 5:47 p.m.

Police Chief Steve Campbell and Sergeant Phil Marcellino met with the Board to discuss the Regional Prosecutor's proposed budget for 2008. Based on data received, Bennington's cost would be \$20,713.44 based on population and case load, representing a 60.41% increase (\$7,800.44) in Bennington's financial responsibility between 2007 and 2008. The Board questioned why the budget increases were being apportioned to only the criminal case load and not applied to the towns receiving Code Enforcement prosecution as well. In addition, the Board discussed the possibility of capping Bennington's contribution and/or restructuring the case load to reduce the Town's dependency on the Prosecutor. A meeting will be held next week for the Selectmen and Police Chiefs to discuss the proposed Regional Prosecutor's budget.

In light of his upcoming marriage, Steve Campbell asked the Board if they had made a decision on revising the new personnel policy to include an insurance buy-back option similar to the one in the old policy which allowed a compensatory payment at an amount equal to 30% of the portion of premium paid for by the Town if the employee has overlapping or double coverage with a spouse. Based on 2007 data, the Town would "save" an estimated \$12,264 if they reimbursed the employee 30% of the cost of a family plan. The Board considered the report but tabled any decisions pending research of the Town's policy as it relates to percentage of eligible employees enrolled.

The Board reviewed the Minutes of their October 30, 2007 Meeting. Motion was made, seconded, and voted to approve the Minutes as presented.

The Board reviewed and approved the Accounts Payable and Payroll Posting Registers for November 7, 2007

The Board reviewed a courtesy Draft copy of the Budget Committee's November 6, 2007 meeting. The Board noted that three budgets had been tabled so the Board could further review the details and that two department heads would be invited to meet with the Budget Committee on November 27th to discuss their proposals for 2008. The Selectmen will meet Tuesday, November 13th at 5:00 p.m. to discuss their criteria for wage increases and begin reviewing personnel policy issues raised by employees in October.

The Board and the Administrator briefly discussed Capital Reserve needs. The Board will discuss with the Capital Reserve Committee their thoughts on establishing Capital Reserve Funds for future roadway improvements and technology purchases.

In her capacity as Assistant Fire Chief/Deputy Forest Fire Warden, Kristie French provided the Board with a copy of the Category IV Brush Permit issued by the State of New Hampshire Division of Forest and Lands good through December 31, 2008. She discussed with the Board Warden DJ Warner's suggestion that the Town develop guidelines for brush burning to prevent a large pile from accruing again. One possibility is for the Warden and Road Agent to communicate during dry seasons to possibly restrict disposal in the brush pile or create a secondary pile until the brush pile can be burned. The original permit will be given to the Road Agent.

Road Agent David Blanchard and Pine View Excavation Principle David Desaulniers met with the Board to discuss snow removal operations for the 2007/2008 winter season. The group discussed last year's operations and similar expectations for the upcoming season. There was a clear understanding that the sidewalks and Main Street are the priority for cleanup when school is in session; the remainder of the cleanup should occur once the State has substantially completed its cleanup operation of State roads in the center of Town.

David Blanchard informed the Board that Gary Langlois would be operating the smaller plow truck this winter. In addition to plowing some roads and Town parking lots, Gary will shovel the Fire Station, Town Hall, behind the mailboxes at Town Hall, the sidewalk into the Historical Society and the entrance for the Library. Once snow removal operations are completed, Gary will clean around the fire hydrants with the Town truck.

Other items reviewed with the Road Agent:

- The culvert near the Cashion property on Acre Street has not been fixed; the Road Agent has spoken with the property owner and suggested underground drainage.
- The sidewalk terminus at the corner of School Street/Main Street needs to be repaired.
- The Hillsborough County Department of Corrections inmates worked with Bennington and Francestown Highway employees to remove the brush from both sides of the fence at the Tri-Town Landfill. A summary of expenses will be created and reviewed by the Board.
- The Road Agent will attend a November 9th luncheon workshop at Conval to discuss winter snow operations District-wide.
- The Board is still waiting for a 10-year road maintenance plan. The Road Agent reported that he will use the UNH survey criteria and has started the plan based on recent road upgrades.
- The Board requested a November work schedule. The Board suggested that the Road Agent schedule Birch Glen Drive improvements and ditch work in November.
- The Road Agent reported that the Whittemore Lake Roads East and West signs have been installed, that roadside mowing had been completed, that they had started to clean the area that will be used for the salt barn, and that salt had been purchased.

The Board reviewed and approved verbiage for a Solicitation amendment to the Transfer Station Ordinance. A Public Hearing on the amendment will be scheduled. The Board agreed to review the existing Transfer Station Ordinance, dated 1992, with a goal to update the Ordinance.

Administrator Denise French put forth a Notice of Intent to Cut for property located at 112 North Bennington Road. The Intent was dropped off on November 1st with an indicated start date of November 1. The Cut started on November 1 without approval from the Selectmen. Administrator French reported that she spoke with Forest Ranger Brian Nowell from Forest and Lands, who visited the site and verified that the loggers were operating without a valid Intent to Cut. Ranger Nowell suggested that the Board sign the Intent to Cut, even though the operation appears to be substantially complete. Nowell noted that in signing the Intent to Cut, the Board was only certifying that the owner had signed the Intent, that the land is not under the Current Use-unproductive category, that the form is complete and accurate, and that a Timber Tax Bond is/is not required. Selectmen Cuddemi and Germain signed the Intent to Cut; Trow refrained from signing.

Administrator French reported on a conversation she had with Ranger Nowell about updates to the Timber Harvesting laws. Effective August 10, 2007, RSA 227-J:15(III) will require a written contract between the logger and the property owner prior to any tree cutting on the property. Ranger Nowell advised the Administrator that effective July 2008, the Town is subject to RSA 227-J:9,I(a)(4) which restricts timber cuts so that no more than 50 percent of the basal area of trees shall be cut or otherwise felled, leaving a well distributed stand of healthy, growing trees within 150 feet of any public highway. Ranger Nowell reported the Road Agent should be mindful of this statute and request a variance from the State when necessary. A copy of RSA 227-J:9,I(a)(4) was hand delivered to the Road Agent.

In other action before them, the Board acted on the following:

- Spoke with David Veale by phone and rescheduled his appointment to November 14th.
- Requested a copy of the By-Laws that govern Bennington's involvement in the Regional Prosecutor Program.
- Heard a report that Town Counsel had reviewed and approved the verbiage of the Bridge Replacement Capital Reserve Fund established in 2000 in regards to planned rehabilitation of the North Bennington Road bridge at the Antrim town line.
- Heard a report that the Peterborough division of Waste Management had closed and residents would need to dispose of their bulk refuse elsewhere.
- Met with a business owner who assisted the Town in meeting a bulk rate threshold for tire disposal to get a cheaper rate on tire disposal. After discussing the tire disposal with the business owner and Road Agent, and reviewing an invoice for tire disposal, and recognizing the savings to the Town as a result of the business owner's cooperation, the Board voted to charge the business owner a reduced rate for disposal based on reduced charges assessed by the tire disposal company.
- Requested that a letter be sent to an Onset Road property owner (Map 12, Lot 40) notifying him that a rock wall appears to be in the Town's right of way and that the Town will assume no liability if it is damaged during snow plowing.
- Requested that the Code Enforcement Officer and Town Administrator conduct another tour of the Town for junk vehicles. The Selectmen voted to accept an offer from a neighboring pilot to conduct a fly-over.
- Reiterated their stance that Town Departments will use email addresses issued to them by the Town (@townofbennington.com).

Board of Selectmen Meeting – November 7, 2007

- Agreed to explore options for background music at Town Hall to deflect content-sensitive conversations.
- Denied a request of a non-profit organization to dispose of electronics equipment at the Transfer Station without a fee being assessed.
- With regard to the substantial TEP expenditures the Town must pay before receiving grant reimbursement, the Selectmen requested the Administrator explore Tax Anticipation Note interest rates prior to the anticipated need in 2008.
- Asked that the Supervisors of the Checklist be reminded of their blank page on the Town's website and discuss insertion of information prior to the upcoming elections.
- Voted to approve Fay, Spofford & Thorndike Invoice #2 in the amount of \$32,865.20 as part of the Transportation Enhancement Project.

The meeting was adjourned at 9:48 p.m.

Respectfully Submitted,

Kristie French, Assistant to the Administrator