

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meetings – July 22, 2009

Selectmen James Trow, Joseph Cuddemi and Philip Germain were present as well as Administrator Denise French. Also attending the meeting was Christopher Clough and Monadnock Ledger-Transcript reporter Joshua Bond. The meeting was called to order at 5:30 p.m.

From 5:55 p.m. until 6:30 p.m. the Selectmen met in Nonpublic Session under RSA 91-A:3II(a). Kristie LaPlante notified the Selectmen that she has tendered her resignation to Chief Allan Wilson as Assistant Fire Chief effective July 31<sup>st</sup>, although she intends to remain on the Fire Department as a firefighter/EMT.

David McNamara, Fay Spofford & Thorndike, Jared Van Dyke and Robert Van Dyke from Van Dyke Construction met with the Selectmen to execute the Contract Agreement and Notice to Proceed for the Bennington Village Safety Improvements Project, contingent on receipt of the Owner's Protective Liability Policy, to be submitted prior to Friday, July 31, 2009. No construction activities may take place until proof of insurance has been submitted. Downtown business owners will be invited to attend the July 29<sup>th</sup> Pre-Construction meeting.

Water/Sewer Commissioners Glenn Wilson, Sal Landi and John Spanos met with the Selectmen to review and discuss the utility's income and expenses. The Commissioners' initial proposal was to increase water and sewer utility rates by 30%. It was unanimously agreed by all that a 15% rate increase would be instituted in the July water/sewer invoices. The Commissioners and the Selectmen will meet again in six months for an up-to-date review of the income and expenses. Based upon the current trend of expenses exceeding income, it is possible an additional 15% rate hike will be applied within the next year.

The Water/Sewer Commissioners reported that the Highway Department's repairs to the Well fence were sufficient.

From 8:18 p.m. until 9:19 p.m. the Selectmen and the Fire Chief met in Nonpublic Session under RSA 91-A:3II(a). The Selectmen and the Fire Chief mutually agreed to place an employee on administrative leave while the Selectmen investigate a formal complaint.

Selectmen Cuddemi and Trow voted in favor, Selectman Germain opposed, to allow discretionary use of alcohol during the August 22<sup>nd</sup> Fire Department Muster at Sawyer Field; alcohol in cans and bottles is prohibited.

In other matters the Selectmen took the following action:

- Reviewed and approved the July 8 and July 11, 2009 Board of Selectmen Minutes.
- Reviewed courtesy copies of the July 2009 Fire Department Minutes, and the July 9 and July 13, 2009 Planning Board Minutes.
- Reviewed and approved the July 15, July 16 and July 22, 2009 Accounts Payable Registers.
- Reviewed and approved the July 15 and two July 22, 2009 Payroll Registers.

Board of Selectmen Minutes – July 22, 2009

- The final version of the July 1, 2009 Internal Operating Budget was accepted. With the support of the Departments/Committees the Selectmen were able to affect a \$47,555 savings, or 3.5%. The Selectmen unanimously voted to lift the July 1<sup>st</sup> spending freeze, as long as expenses are kept within the parameters of the newly adopted July 1, 2009 Internal Operating Budget.
- Received notice from the Local Government Center of its intent to start legal proceedings against the State in order to challenge the unconstitutional Legislative decision to reduce the State's financial obligation to pay its share of the employers' retirement contribution.
- Asked the Administrator to obtain quotes for changing the Town Hall locks and associated costs for new keys.
- Selectman Cuddemi and Road Agent Russell will research opportunities with EcoMaine regarding regional management of solid waste and recycling.
- Tabled a \$1,000 funding request from the Hillsborough County Advocacy Center until consideration of the 2010 Budget.
- Heard a report that the Board's request for a ZBA Rehearing of the Rex Gray decision was not timely filed due to confusion of the Notice of Decision date.
- Heard a report that the Stockwell multi-dwelling parcel of land, M3/L14, is not eligible for Open Space Residential Development because there is not sufficient Class V road frontage.
- Approved the Road Agent's request to purchase a used sickle bar for \$650. The hydraulic driven equipment will be adapted to the loader/backhoe.
- Received requested information from the Planning Board relative to their position on lighting and landscaping at the Rymes propane facility. A second request for information has been submitted to the Fire Department.
- Received a courtesy copy of the Library Trustees' letter to the Town's Auditor regarding the 2008 Audit.
- A draft of the revised Town Building Rental Agreement, as prepared by caretaker Chris Clough, was reviewed and accepted subject to the addition of a \$50 fee for residential use. A July 18<sup>th</sup> rental incident will be reviewed with Mr. Clough at a later date.
- A courtesy copy of the Hancock Conservation Commission Application Review form was tabled for lack of time.
- The Selectmen reviewed, approved and signed a response letter to David Veale and Scott Veale in response to their June 24<sup>th</sup> communication.
- Received notes from the Administrator capturing Peter Cordatos' July 21<sup>st</sup> phone conversation.
- Review of the Elderly Exemption requalification applications was tabled for lack of time.
- Agreed to begin annual employee performance reviews in September.
- Agreed that more detailed information should be put forth on the internet and posted advertisements for Recreation Commission events.
- Agreed that a land-line phone at Whittemore Lake is no longer necessary since cellular telephones are commonplace and in the possession of the lifeguards.
- Agreed that a memo should be sent to affected employees encouraging them to use all of their allotted vacation time before the end of the year. Due to budget constraints the Selectmen would rather not purchase vacation time back.
- Agreed that a Yield sign should be placed at the Pierce Hill Road/Hancock Road intersection.

Board of Selectmen Minutes – July 22, 2009

- With regard to the TE Project:
  - Authorized payment of Invoice No. 1, Bid & Pre-Construction Support Services, in the amount of \$10,530.04 for services from May 31, 2009 through June 27, 2009.
  - Received the July 17, 2009 *Bid Approval* from NHDOT.
  - Selectman Cuddemi executed the July 17, 2009 *Notice of Intent to Award* to Van Dyke Construction, Inc., Rindge, NH.
  - Scheduled the Pre-Construction meeting for July 29<sup>th</sup>, 2:00 p.m. at the VFW
  - Agreed to provide Town Hall space for a Satellite Office for FST during the TE Project.
  - Earlier in the meeting, the Water/Sewer Commissioners and the Selectmen discussed the possible relocation of the Acre Street fire hydrant from the Library banking to across the street near the Stop sign.
- Reviewed, approved and signed were the *Intent to Use "Inventory of Taxable Property Form"*, a *Timber Tax Levy* for M20/L12 and two *Employee Time-Off Request* forms.

The meeting adjourned at 10:35 p.m.

Respectfully submitted by:

Denise French  
Town Administrator