

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – October 21, 2009

Selectmen James Trow, Joseph Cuddemi and Philip Germain were present as well as Administrator Denise French. Also attending the meeting was Chris Clough, Peter Martel and Monadnock Ledger-Transcript reporter Josh Bond. The meeting was called to order at 5:34 p.m.

At the Selectmen's invitation Howard and Leona Mabry met with the Board and Mike Crowe, representing Crowe Fence. The group looked at an eight-foot section of vinyl fence Mr. Crowe displayed for consideration of replacing the wooden picket fence removed by the Town for the benefit of the Cross Street sidewalk construction project. Mr. and Mrs. Mabry chose the vinyl fence for installation at their 11 Cross Street property.

Road Agent Gary Russell met with the Selectmen and discussed the following matters:

- Discussed the NHDOT Report of Municipally Owned Bridges. Gary will seek clarification from DOT whether or not the Town owns the Whittemore Lake Outlet Bridge even though South Bennington Road is classified as being a State road. With regard to an erosion condition at the Mill Road Bridge it was agreed by all that the Road Agent should begin the process for securing a Dredge & Fill Permit for this repair project.
- A used fireproof cabinet has been obtained at no cost, other than minor repairs.
- Winter sand is being stockpiled.
- Signs have been reordered.
- Old Coach Road has been posted as a Dead End road.
- The handmade Birch Glen Drive sign has been replaced with the Town's standard issue sign.
- Discussion of erecting street signs on Class VI roads and right-of-ways was informally discussed. An inventory of buildings on these non-maintained roads will be undertaken by the Road Agent before a policy decision is made by the Selectmen.
- An individual has made repairs to the Class VI portion of Onset Road without Town approval. A "Private Road" sign was also erected in the same location. The Road Agent will attempt to make contact with the individual responsible for these actions.
- A turnaround area at Switzer Road has been completed.
- Arrangements have been made to trap the wayward beavers in the Bible Hill Road culvert at the North Bennington Road intersection, at a cost of \$20 each.

Conservation Commission Chair Joseph MacGregor met with the Selectmen and discussed the following matters:

- Received authorization to purchase a hand-held GPS device that is compatible with a software program that has the capability of producing maps, at an approximate cost of \$500.
- Suggested the Memorial Liberty Elm Tree at the far end of the VFW parking lot. The dedication ceremony is scheduled for November 10th.

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- Discussed the closure of the trestle by the snowmobile club for renovations that don't appear to have progressed much as of this date. The Selectmen did not have any information on the project and were concerned about work being done overhead of a town roadway without involvement of Town Officials. Mr. MacGregor will contact the snowmobile club to inquire if the need remains to block the popular hiking access.

At 6:50 p.m. motion was made, seconded and unanimously voted to enter into Nonpublic Session under RSA 91-A:3II(a). The roll call was: Germain –yes, Trow – yes, Cuddemi – yes. Present were Selectmen Philip Germain, James Trow, and Joseph Cuddemi as well as Steve Campbell. The Selectmen conducted an annual Employee Performance Review of the Police Chief. No decisions were made. The Nonpublic Session adjourned at 7:10 p.m.

In other matters the Police Chief/Emergency Management Director and the Selectmen discussed the following:

- It was mutually agreed to include a 2010 Warrant Article for the purchase of a portable generator.
- It was mutually agreed to include a 2010 Warrant Article for funding the Police Cruiser Capital Reserve Fund.
- It was mutually agreed to include \$4,000 in the Police Department Budget for the purchase of two taser weapons.

The Selectmen discussed their observations as a result of the October 17th follow-up tour of potential junk yards. The Board voted the following actions:

- M7/L48 continues to demonstrate progress in cleanup. The property will be revisited in the Spring.
- M17/L30 appears not to have made any progress. The Administrator will request proof of registration and inspection for the multitude of vehicles, some of which could be in the Town's right-of-way. A date for visitation will be established with the owners.
- M7/L111 has digressed from their promised plan of action, yet again. The Selectmen voted to forward the matter to Town Counsel for remedial action.
- Noted that the Code Officer did not attend the follow-up tour as was requested.

With regard to the TE Project the Selectmen discussed the following:

- It was recently noticed that the southbound entrance to South Bennington Road will be a single lane. With an eye towards truck traffic coming into Town, a truck towing a long flat-bed trailer will demonstrate the affect of the turning radius at a session October 23 under the watchful eyes of Town Officials, FST and Van Dyke representatives.
- Preparations for winterizing the manhole covers and gate boxes was discussed, as well as the resulting Spring work that would be incurred by the Bennington Highway Department if the Van Dyke Contract is not extended. The Road Agent will speak with Anil/FST about a temporary fix of the gate boxes.

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- Accepted a \$9,000 estimate of cost from Van Dyke Construction to replace the Town Hall entry steps with granite stairs, installation of side railings and the installation of granite edging and pea stone along the front of Town Hall on each side of the new stairs.
- Reviewed the October 14, 2009 Construction Meeting Minutes.
- Agreed to the enhanced installation of pavement at M7/L82 if the work can be done under the existing contract.
- Agreed that a version of the pine tree should be planted near the Fire Station instead of a leaf tree which could eventually become entangled in the overhead electrical lines.
- Reviewed a Draft request from FST to NHDOT seeking additional funds to pay for additional required time. As long as ARRA funds reimburse the Town for this expense the Selectmen will support the extra budget request of \$12,253.16.

The Selectmen took the following action:

- Reviewed and approved Minutes of their October 7, 2009, October 14, 2009 and October 17, 2009 meetings.
- Reviewed and approved two Accounts Payable and the Payroll Registers for October 21, 2009.
- Reviewed a statement from LGC that was written in response to media suggestions that the Organization was inappropriately spending their funds.
- Received copies of the detailed Newhall Field Vandalism Claim as prepared by the insurance appraiser. The Administrator and Newhall Field Trustee will review for completeness.
- Received an invitation from the Fire Chief to attend the October 24th Ham and Bean supper when the Fire Department would be dedicating the 2009 Rescue Vehicle in memory of Bruce Edes.
- Reviewed with Peter Martel, Wapack Youth Robotics Leader, an Agreement of Understanding showing intent to support a local FIRST LEGO Team. The Board agreed with the content.
- Reviewed the \$167,576 projected cost to build and equip the 2009 rescue vehicle with the actual expenses incurred to date. The Selectmen expressed their concern that the \$167,267.50 cost to date, plus the unbilled expense for lettering the vehicle, will exceed the amount jointly agreed upon by the Selectmen and the Fire Chiefs. The matter will be discussed with Chief Wilson.
- Reviewed and approved two Employee Time-off Request Forms, signed documentation for Police Radio Inventory and Fire Radio Inventory for the Department of Safety, signed three copies of the five-year Cable Franchise Agreement and a Building Permit for M19/L2-10 dependant on clarification of side setback.

The meeting adjourned at 9:00 p.m.

Respectfully submitted by:

Denise French
Town Administrator