

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – November 18, 2009

Selectman Joseph Cuddemi and Philip Germain were present as well as Administrator Denise French. The meeting was called to order at 5:50 p.m.

The Selectmen acted on the following matters, as indicated:

- Tabled November 10, 2009 Selectmen Minutes.
- Reviewed and approved three Accounts Payable Registers and the Payroll Register for November 18, 2009.
- Received a letter of appreciation from Howard & Leona Mabry for the replacement of their fence at the conclusion of the TEP sidewalk construction at their Cross Street residence.
- Heard a report that litigation for bringing an offending property into compliance with the Zoning Ordinance and the Junk Yard Statutes could cost \$8,000-\$10,000.
- Reviewed the First Draft 2010 Default Budget. The Road Agent was asked to provide a cost for the Snow Removal Contract that is specific to clearing the sidewalks. Under ARRA funding the Town is obligated to have a sidewalk snow removal policy, and as such, is an entitled addition to the Default Budget.
- Heard a report that the Planning Board will meet with Mark Fougere at their November 23<sup>rd</sup> meeting to discuss Workforce Housing and the Town's obligations. The Town will seek a legal opinion of the Town's standing if the Town does not adopt the provisions of the newly enacted law.
- Received, with regret, Police Officer Lester Milton's resignation effective November 30, 2009.
- Received the Unofficial Tax Rate (confirmed November 19<sup>th</sup>) of \$23.76. The intent is to have tax bills in the mail by November 30<sup>th</sup>.
- Heard a report that the storage area at the VFW, exclusive to the organization, has again been entered with items missing this time. The Selectmen voted to change the storage room lock and singularly issue a key to the VFW with the Town/owner keeping a key. Further disruption of VFW storage area could result in an overall review of the use of the building.
- Recreation Committee Ex-officio Philip Germain will discuss purchasing options with the Committee.
- The Selectmen approved exploration of an alternative Town website.
- Reviewed segments of the Zoning Ordinance and noted under Article XII, L.5. that there is no minimum setback requirements for individual house lots within the OSRD. There is a minimum setback of 75 feet along all property boundaries of the tract for all structures.
- Agreed the Town would host a regional meeting of the Contoocook and North Branch Rivers Local Advisory Committee, presumably at the Pierce School.
- Agreed to change the next week (Thanksgiving) meeting to Tuesday, November 24<sup>th</sup>.
- Tabled an Intent to Cut for M11/L3B pending further consideration of a bond since there are delinquent property taxes.
- Executed a Land Use Change Tax warrant for M19/L2-9.

Board of Selectmen Minutes – November 18, 2009

- Signed the previously approved three-year Snow Removal Contract with Pine View Excavation & Landclearing.
- From 7:30 p.m. until 10:20 p.m. the Selectmen participated in the annual Capital Reserve Funding Committee meeting. The associated Minutes are herewith attached.

The following TEP matters were acted upon:

- Reviewed November 12, 2009 Construction Meeting Minutes.
- Heard a report that some of the sidewalks are not acceptable in their present state. The sub-contractor has yet to meet with Van Dyke and FST officials.
- Considered a request to amend Change Order #4 which would reflect an over-time wage payment for a two-week period. The Selectmen deferred accepting the proposed revision until further discussion with Tom Jameson, NHDOT.
- Confirmed their availability to participate in the November 24, 2009 planned walk-thru of the Bennington Village Safety Improvements Project with NHDOT, Van Dyke Construction and FST officials.

The meeting adjourned at 10:45 p.m.

Respectfully submitted by:

Denise French  
Town Administrator