

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – March 30, 2011

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

Richard Edmunds, Jr. met with the Selectmen to discuss extending the ten year expiration date of the March 9, 2004 Settlement Agreement in a Superior Court action of Town of Bennington (Board of Selectmen) v. Town of Bennington (Zoning Board of Adjustment). The Settlement Agreement allows Richard Edmunds, Jr. to construct a single family residence on his Class VI Mountain Road property. Motion was made, seconded and voted to extend the Settlement Agreement to January 1, 2030. Mr. Edmunds was encouraged to consider adding other family members to the Agreement which presently is exclusive between the Town and Richard L. Edmunds, Jr.

From 7:00 p.m. until 7:12 p.m. the Selectmen, Fire Chief Allan Wilson and Administrator Denise French met in Nonpublic Session under RSA 91-A:3II(a). No decisions were made.

The Selectmen re-appointed Allan Wilson as Fire Chief for one year. At the Chief's request, the Selectmen will discuss consideration of a two-year reappointment term when the full Board is in session. Chief Wilson announced that he will re-appoint Chester Heinzman as Assistant Fire Chief and Joseph O'Brien as Deputy Fire Chief.

Steve Stockwell, Code Officer Peter Hopkins and abutter Rick Edmunds, Jr. met with the Selectmen to discuss the following with regard to Mr. Stockwell's property at 101-107 Mountain Road (M3/L14):

- A review of Mr. Stockwell's March 14, 2011 letter indicates his willingness to remove three (abandoned) dwellings while keeping #102 which is inhabited and #103 which has been undergoing renovations.
- Mr. Stockwell presented a conceptual minor subdivision plan which would provide a two-acre parcel in the front of the lot with two four-acre back lots; the residual four acres would be annexed to Mr. Stockwell's abutting five-acre lot (M3/L14A). Mr. Stockwell was referred to the Planning Board for a Chat Session.
- Mr. Stockwell confirmed that only one dwelling is/has been inhabited; three are in various states of disrepair and continue to be unlivable while the fifth dwelling collapsed recently under the snow load.
- Mr. Stockwell objected to the Town's position that he must cleanup his properties. The Selectmen continue to receive complaints from the neighbors about the unkempt status of the property.
- Mr. Hopkins agreed to provide the Selectmen with an updated time-line of events capturing the ongoing issues, property vacancies and Building Permit extensions for the Board's April 6th meeting.

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In other matters the Selectmen took the following action:

- Reviewed and approved the March 16, 2011 Public and Nonpublic Minutes as presented.
- Reviewed the March 17, 2011 Conservation Commission Minutes, the March 21, 2011 Zoning Board of Adjustment Finding of Facts, Basis and Decision for the Desaulniers Hearing, and the March 23, 2011 Energy Committee Minutes.
- Reviewed and approved the March 23, 2011 Accounts Payable and Payroll Registers.
- Reviewed and approved the March 30, 2011 Accounts Payable and Payroll Registers.
- Tabled review of the January through March Expenditures until the April 6th meeting.
- Received a resignation from Police Officer Alan Rice.
- Confirmed the Selectmen’s verbal commitment to the owner of 172 State Route 202 that the Town would pay for three months (January through March 2011) of property insurance while the property was reserved for the Town awaiting vote on Warrant Article 4.
- Tabled discussion on the Antrim/Bennington bridge until Chairman Germain has an opportunity to speak with Quantum Construction officials.
- Received a Bid Advertisement for The Highlander Resort Condominiums Sitework. The Selectmen noted that mandated changes to the condominium buildings were not included in the Advertisement. The Board was pleased to note that the four parcels have been consolidated into one lot of record. The Highlander Resort advertisement documents will be forwarded to the Planning Board.
- Heard a report that the March 25th informal assessment of the water pump house by a resident engineer seemed to support the building’s settlement theory. Another site assessment is scheduled for April 24th when two bored holes will be viewed.
- Heard a report that the stone pillar at Sunnyside Cemetery will be repaired by a contractor hired by the owner of 9 Bible Hill Road. The owner admits no fault in the pillar’s damage.
- Agreed that a diesel-fuel generator would probably work better as a portable generator rather than the newly purchased propane generator. The Administrator will work out arrangements for the swap, if possible.
- Signed, approved and signed were:
 - Employee Time-off Request Form
 - Alcohol Traffic Safety & Drunk Driving Prevention Grant Application
 - “Smokey the Bear” Sign Permit – M10/L1
 - Notice of Intent to Excavate:
 - M3/L1
 - M11/L16
 - Building/Demo Permits:
 - M10/L22
 - M10/L26

The meeting adjourned at 9:45 p.m.

Respectfully submitted by:

Denise French
Town Administrator