

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – June 22, 2011

Selectmen Philip Germain, Steven Osienski and Joseph Cuddemi were present as well as Administrator Denise French. The meeting was called to order at 5:30 p.m.

ZBA Chair Peter Martel met with the Selectmen to discuss the Zoning Board's request for funding of independent legal counsel for assistance in preparing the Written Decision in the Administrative Appeal filed by Joshi Hospitality Group, at an estimated cost of \$400. Selectman Osienski recused himself from the Board of Selectmen and sat with Mr. Martel as a ZBA member. At the June 20th ZBA Hearing the Administrative Appeal was denied by a 4 to 1 vote; Code Enforcement Officer Hopkins decision stands. Upon hearing from Mr. Osienski that he volunteered to draft the Written Decision the Selectmen suggested that it would likely be in the Town's best interest if he did not author the document thereby negating what could be considered a conflict of interest with his position on the Board of Selectmen. Chairman Martel reminded the Selectmen that the Decision is not final until the Written Decision has been approved by the ZBA in a public meeting. Selectmen Germain and Cuddemi voted to expend funds for independent legal counsel to assist the ZBA in writing the Zoning Board's final Written Decision.

In other matters the Selectmen took the following action:

- Reviewed and approved the Selectmen's June 15, 2011 Minutes.
- Reviewed and approved June 22, 2011 Accounts Payable and Payroll Registers.
- Reminded Peter Martel that the Town Hall gymnasium must be cleaned and organized.
- Signed an Intent to Cut for M24/L16 and Signature Cards for People's United Bank.

The meeting adjourned at 6:50 p.m.

Respectfully submitted by:

Denise French
Town Administrator