

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – April 21, 2015

Selectmen James Cleary, Jeffrey Rose and Steven Osienski were present as well as Administrator Denise French. The meeting was called to order at 6:02 p.m.

Attorney John Cronin III (representing B.J. Joshi), Code Enforcement Officer Dario Carrara and Fire Chief Michael Roina met with the Selectmen to finalize the required Plan of Action for the Joshi Hospitality Group LLC to achieve ahead of receiving their Certificate of Occupancy for their condominium rehabilitation project. It was agreed that the Town will receive detailed plans which will include the fire alarm plan, updated exterior stair cases and items identified in the Punch List which was developed February 3rd at a round-table meeting. The group confirmed its collective understanding that enforcement of condominium rules and regulations rests with the owner until such time as 51% of the condominium units have been sold which will then force the creation of a Condominium Association.

From 6:42 p.m. until 6:48 p.m. the Selectmen met in Nonpublic Session under RSA 91-A:3II(c). Present were Selectmen Cleary, Rose and Osienski, Administrator French and Fire Chief Roina. No decisions were made.

Code Officer Dario Carrara discussed with the Board a request to expand an existing building's foot print for M5/L1; property situated on a Class VI roadway. The group expressed concerns about development on a Class VI road, the potential for increased Town liability, conversion of a cabin into what could develop into full-time residency in the future, etc. The Administrator will address these concerns with Town Counsel and report back to the Board.

The Selectmen took action on the following matters:

- Reviewed and approved the Selectmen's April 15, 2015 Minutes.
- Reviewed and approved April 21, 2015 Accounts Payable and Payroll Registers.
- Heard a report that the Deeds for M7/L30 do not include Covenants; acquisition and funding for the property would require Town Meeting approval; acquisition of the property before the March 2016 Town Meeting likely would not qualify for a Special Town Meeting; if a bond is required for financing the Town would need a 2/3 positive vote. The Selectmen voted not to continue its pursuit of the property at this time.
- Received a copy of Sam Cohen's letter to NHDOT, District 4 Engineer John Kallfelz, expressing concern about the obtrusive potholes on South Bennington Road. Mr. Cohen's communication followed his conversation with Kevin Belanger who reported that the NHDOT paving budget has been allocated for the year; South Bennington Road is not included in their maintenance plans.
- Instructed the Administrator to send a written communication to the owner of M1/L2 advising them that establishment of a retail outlet is not permitted without Planning Board approval.
- Voted to instruct the Tax Collector to defer an Impending Tax Deed for M21/L13-1 while the Selectmen and deceaseds' family members develop a plan of action to satisfy the outstanding real estate taxes.

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- Voted to instruct the Tax Collector to defer an Impending Tax Deed for M22/L11C while the Selectmen and deceased's family members develop a plan of action to satisfy the outstanding real estate taxes.
- Heard a report that Earth Day community clean-up was a huge success. The Selectmen reviewed a list of retrieved items from the Town's roadsides and identified "a pair of jeans hanging from a tree" as being the most unusual. Upon receiving information from the Conservation Commission about the "finder" Selectmen Cleary and Osienski will contact the family to arrange pick-up of their household trash; this is in keeping with the Selectmen's commitment to provide themselves as the "award" for finding the most unusual trash.
- Schedule permitting, Selectmen Rose and Osienski plan to attend the April 28<sup>th</sup> Meet and Greet session with Keith Nason, newly appointed Emergency Management Director.
- Tabled determination of spring/summer VFW availability until later in the month when the Selectmen expect to receive additional information from the Building Committee.
- As a Justice of the Peace, Denise French administered the Oath of Office to re-elected Selectman James Cleary.
- Reviewed and approved an Intent to Excavate for M8/L1C for the year ended March 31, 2015.
- Reviewed and approved a Gravel Tax Levy for M11/L12.

The meeting adjourned at 7:28 p.m.

Respectfully submitted by:

Denise French  
Administrator