

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – August 27, 2019

Selectmen James Cleary, David Hardwick, Sr., and Mark Mackesy were present as well as Town Administrator Kristie LaPlante. The meeting was called to order at 6:02 p.m.

Road Agent Gary Russell met with the Selectmen. Gary reported that all of the culverts have been replaced on Onset Road but that the road will not be finished with pugmill overlay until the spring because he has not yet been contacted by the crushing crew and by the time the gravel is crushed and hauled to the work site it will be too late in the season to lay down pugmill.

While in Public Session Gary began discussing a variety of employment matters and brought up several concerns about his co-worker based on rumors he had heard. Gary then informed the Board that he will no longer work with his co-worker and gave the Selectmen “one week to figure out” staffing within the Highway Department. Gary abruptly left the meeting before the Selectmen could discuss anything further with him.

At 6:29 p.m. a motion was made by Selectman Jim Cleary to enter in to Nonpublic Session under RSA 91-A:3-II(c) and seconded by Mark Mackesy; all voted in favor of entering Nonpublic Session. Also present during the Nonpublic Session was Town Administrator Kristie LaPlante. The Selectmen discussed what they perceived to be an ultimatum from the Road Agent to terminate another employee. The Selectmen noted they have no cause to terminate any employee. No decisions were made. Selectman Mackesy made a motion to reconvene the Public Session; seconded by Selectman Cleary; all voted to reconvene the Public Session at 6:47 p.m.

Water/Sewer Commission Chairman Dave Beck met with the Selectmen to discuss a variety of items of mutual interest. The group discussed the following:

- The Operations and Maintenance arrangement currently in place between Antrim and Bennington appears to be based upon a verbal agreement that started decades ago. The Selectmen agreed that the Agreement between the two communities should be formalized in writing.
- The Selectmen agreed, in concept, that the maintenance of the Water and Sewer facilities should be undertaken by the Town and its contractors rather than require Antrim Water/Sewer to complete the tasks.
- As part of the Water Asset Management Project, the Commissioners have been working with Granite State Rural Water Association (GSRWA) to review the water and sewer rates. The current rate structure, which was last updated in 2010, is resulting in a nearly \$60,000 revenue shortfall between water and sewer revenues and expenditures. GSRWA has recommended a significant change in the rate structure to include a flat user fee as well as a flat per gallon fee. The Selectmen reviewed the rates and felt that the rate increase should be phased in over several years; the Water Commissioners will provide a few different rate options for the Selectmen to review before anything is finalized.
- The water meters currently installed at most residences are the original meters and should be replaced to improve billings. To replace approximately 240 meters in Bennington the cost is

estimated to be \$52,000 plus installation costs. The Selectmen tabled making a decision at this time.

- The Sewer Asset Management Project, to be funded through the State of NH's Water Pollution Control Revolving Loan Fund Program, is currently on hold pending resolution of the State Budget.
- Conceptual discussion about future elimination of the Bennington Water & Sewer Commission by having a joint Antrim/Bennington Water/Sewer District. No decisions were made.

Town Administrator Kristie LaPlante reported to the Board of Selectman that she has received the estimated Payment Schedule from Conval for 2019-2020 and analyzed the data in comparison to prior years. The Payment Schedule from Conval was the basis for an article in the Monadnock Ledger Transcript that indicates Bennington's contribution may increase as much as 15% (\$300,818) over last year's apportionment. LaPlante analyzed the financial data provided with the Payment Schedule and provided the following:

- The funding formula is based on 50% of the most recent finalized Average Daily Membership (ADM) and 50% on Equalized Value. For the 2019/2020 Budget, Conval is using ADM for 2017/2018 and 2018 Equalized Values for all communities.
- Bennington's student population increased by 4.36 students per day (ADM) and equalized value increased by \$17,318,368 between the 2018/2019 and 2019/2020 budget years.
- District-wide Revenues are currently estimated to be \$2,025,166 less than 2018/2019 (38.4% reduction), while expenditures have increased by \$324,796. This results in a net \$2,349,962 increase in taxpayer funding over the 2018/2019 budget year.
- The 2019-2020 Budget figures do not include Town-specific revenues based on Adequacy Aid adjustments and Keno funding. This revenue will be reported to the District by the Department of Revenue as part of the Tax Rate setting process.
- Because the Town is in the middle of a Town wide revaluation, the true impact on Bennington property owners and the 2019 Tax Rate won't be known until property values are finalized.

The Selectmen heard a report that the local NH DOT manager believes a dip in the pavement at the railroad tracks on Route 31 near the VFW is not the State's responsibility and suggested the Town might be responsible because it intersects with Pierce Hill Road. The Town Administrator shared with the Selectmen an August 9th conversation with Lou Barker, Railroad Planner for State of NH Bureau of Rails and Transit who confirmed that the lease agreement to operate/maintain the railroad tracks in Bennington is between the Milford-Bennington Railroad (MBR) and the State of NH; the Town of Bennington is not part of the lease agreement. As part of the lease agreement, NH DOT is responsible for roadway and asphalt issues and maintenance; the MBR is responsible for track maintenance and any issues that arise due to a failure of the track. Because the dip in the pavement does not appear to be a track issue, the asphalt repair lies with NH DOT. LaPlante has informed the Road Agent that NH DOT is the responsible party.

At 8:23 p.m. a motion was made by Selectman Jim Cleary to enter in to Nonpublic Session under RSA 91-A:3-II(c) and seconded by Mark Mackesy; all voted in favor of entering Nonpublic Session. Also present during the Nonpublic Session was Town Administrator Kristie LaPlante. The Selectmen continued discussion of the Road Agent's meeting with the Selectmen and voted to send a letter informing Mr. Russell that they will not be terminating Mr. Davies. No decisions were made. Selectman Mackesy made a motion to reconvene the Public Session; seconded by Selectman Cleary; all voted to reconvene the Public Session at 8:44 p.m.

In other news on their Agenda, the Board:

- Reviewed and approved the Minutes of the Board's August 21, 2019 meeting.
- Reviewed and approved the August 29, 2019 Payroll Register.
- Agreed that Highway Department CDL licenses should include a Tank endorsement.
- Heard a report that a schedule for the Highway Department for week ending September 1, 2019 was not submitted as required.
- Discussed a request from a property owner to park a School District bus at the Highway Garage. The Town agrees with the request in principle but will require verification that the Town is not liable for damages as a result of vandalism or natural occurrences before approving the request.
- Agreed to purchase a commercial grade dehumidifier for Town Hall.
- Unanimously voted to assent, through the Town's legal counsel, to Eversource's amendment to include 2018 Tax Year Appeals with the 2018 Tax Year Appeals currently in Superior Court.
- Reviewed correspondence from Donahue, Tucker, Ciandella, PLLC, the Town's legal counsel for Eversource assessing appeals, requesting the Town's inclusion in a group representation to create a Comprehensive Public Rights-of-Way Ordinance to better regulate access to public rights-of-way for wireless facilities and all other uses. The Selectmen tabled their inclusion until they have a better view of the 2020 budget.
- Heard a report that the Revaluation is still on track for finalized values by October 15, 2019.

There being no other business before the Board, the meeting adjourned at 8:45 p.m.

Respectfully Submitted,

Kristie LaPlante, Town Administrator