

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – April 10, 2013

Selectmen James Cleary, Jeffrey Rose and Steven Osienski were present as well as Administrator Denise French. Also attending the meeting was Monadnock Ledger-Transcript reporter Brandon Lawrence. The meeting was called to order at 6:12 p.m.

From 6:15 p.m. until 6:52 p.m. a Public Hearing was held in compliance with RSA 31:95(e), Acceptance of Personal Property Donated to the Town. Attending the Hearing were Robyn Manley, Keith Nason, Robyn Clough, Steve Campbell and John Giffin. Bennington resident, and employee of Code 3 – Public Safety Equipment, has offered to donate \$7,820 worth of equipment for the replacement police cruiser. The gift would include lights, push bumper, speakers, lights, sirens control box and flashlights. Robyn Clough was the only attendee to speak against acceptance of the gift and expressed his displeasure that the Selectmen plan to purchase a replacement police cruiser even though the 2013 Town Meeting vote denied funding \$15,000 for the Police Cruiser Capital Reserve Fund. Chairman Cleary read aloud the March 13, 1993 Town Meeting Minutes for Warrant Article 12 where the Police Cruiser Capital Reserve Fund was established for the purchase of a police cruiser and the Selectmen were named as agents to carry out the object of the article. The Fund can only be used for vehicle purchase – not for the purchase of repairs as suggested by Mr. Clough. Adequate funds currently exist in the Police Cruiser Capital Reserve Fund for the purchase of a replacement vehicle but not enough to outfit the cruiser. The Selectmen unanimously voted to accept the gift of donated police cruiser equipment.

By invitation, Water/Sewer Commissioners Glenn Wilson, John Spanos and David Desaulniers met with the Board. The Selectmen asked the Commissioners to consider an amendment to the Water & Sewer Department By-Laws as provided for under Article IX. It was mutually agreed that the practice of discontinuing water service for nonpayment should be eliminated and replaced by the tax lien process as provided for in RSA 38:22, II, (a). The Commissioners plan to formally amend the Water & Sewer Department By-Laws at their next meeting. The Administrator will draft a joint letter from the Selectmen and Commissioners to the customers advising them of the policy change; approval of the letter will come from the Commissioners.

Code Officer Dario Carrara and Birch Drive property owner Mike Palmer met with the Selectmen to discuss Mr. Palmer's interest in adding an addition to his home but not being able to identify his property's boundaries since Birch Drive has never been accepted by the Town. It was agreed by all that setbacks would be established by using the boundary of a neighbor whose property fronts a Class V road.

The Code Officer and Selectmen also discussed the following:

- Taste of Texas building's canopy construction is adequate. The variances granted were for the food service, not the building. Dario requested the Site Plan.
- VFW tentative construction plans; Dario requested a floor plan of the existing layout and another floor plan for the proposed renovations.

Board of Selectmen Minutes – April 10, 2013

- Highland Inn owner recently met with Dario and inquired what he had to do to complete the buildings which the Planning Board has approved as condos. Planning Board Ex-officio Jeff Rose reported a stipulation that continuous occupancy cannot exceed thirty days.
- Procedural questions were asked: when does Site Plan Review expire and can a Building Permit be held back if there are outstanding taxes owed on the property? Answers will be forthcoming.

Fire Chief Mike Roina accompanied by Rescue Captain Adam Dunning met with the Selectmen to discuss a verbal request from Monadnock Community Hospital Officials that pertains to Bennington rescue calls. It was agreed to request a written directive from the Hospital.

In other matters the Selectmen took the following action:

- Reviewed and approved the Selectmen's April 3, 2013 Minutes.
- Reviewed and approved the April 10, 2013 Payroll and Accounts Payable Registers.
- Received with regret notice that Robyn Manley has declined reappointment to the Capital Reserve Funding Committee.
- Reviewed the results of NH Retirement System's audit which indicated great record keeping on the Town's behalf with a few deficiencies noted as a result of 2011 Legislative changes to the NH Retirement System. The Retirement System's legal counsel is still reviewing eligibility status for a veteran employee.
- Heard a complaint from a Cross Street/Route 31 resident that a travel safety issue exists due to the painted parking lines having faded away. The matter will be referred to the Road Agent for conversation with NHDOT.
- Tabled discussion of lifeguard coverage until the Board's next meeting.
- Upon advice of LGC's legal consultant the Board of Selectmen voted to eradicate from the Planning Board's January 28, 2013 Minutes all legal communications to/from LGC's attorney.
- Voted to continue the Town's business relationship with Pleasant Pond Landscaping for the 2013 grounds-keeping at the same rates as 2012.
- Reappointed Melissa Clark to the Building Committee.
- Voted to increase the certified mail processing fee to \$8.00 per envelope which includes the \$6.11 cost of postage.
- Received invitation to the April 20th Earth Day Clean-Up activity sponsored by the Conservation Commission with financial support from Monadnock Paper Mills.
- Signed a Gravel Tax Levy for M11/L12 and M11/L16.
- Signed Building Permits for M2/L1 and M19/L11.;

The meeting adjourned at 9:27 p.m.

Respectfully submitted by:

Denise French
Administrator