

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – December 30, 2015

Selectmen James Cleary, Steven Osienski and Jeff Rose were present as well as Administrator Denise French. The meeting was called to order at 6:01 p.m.

Peter Martel met with the Selectmen to inform the Board that the LCHIP grant application for VFW funding was denied. In the coming months LCHIP officials, along with the Department of Resources and Economic Development and the Historic Registry will partner with Town Officials in preparing a 2016 LCHIP grant application. It was agreed that it would be beneficial to the Town if financial community support could be documented. The Administrator will seek legal information as to the legality of the Selectmen earmarking a specific amount of existing funds in the Town Buildings Expendable Trust Fund for the VFW restoration project; would a Selectmen's vote be appropriate or can the Selectmen remove funds from the Town Buildings ETF to create a VFW account?

Jon Manley and Joseph MacGregor met with the Selectmen to report on their December 22<sup>nd</sup> meeting with State Officials to discuss the gated railroad trestle:

- The presence of the railroad tracks classify the property as an active rail system which comes under the NHDOT regulations; DOT claims ownership of the trestle
- The Milford-Bennington Railroad, owned by Peter Leishman, owns the railroad tracks
- The Trails Division has an Agreement with the snowmobile club; during winter activities Leishman relinquishes the rail rights as does NHDOT
- State funds were used by the Trails Division and the snowmobile club to put down decking the entire length of the trestle, as well as installed gates at each end of the trestle without notifying Leishman or the DOT
- Access to the trestle is isolated to the snowmobile club while all other users are locked out and must find alternative means to traverse the trails on each side of the river
- The State's attorney informed the parties that anyone who uses the tracks, other than the snowmobiles are violating the trespass statute
- Jon and Joe presented photographs of all bridges along the Milford-Bennington Railroad which showed various heights and conditions; *all*, excepting the Bennington trestle, were open to the public year-round
- Jon and Joe discussed with the group a conceptual proposal that would include a side walkway built along the outside of the trestle with a protective cage enclosure
- Mr. Leishman stated he had concern that perhaps the bridge structure was not safe for snowmobiles
- It appears that State officials will evaluate the trestle bridge structure
- Because the bridge could serve multi-purposes, and is historic, a variety of funding could be available
- No decisions were made at the meeting with State Officials

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Fire Chief Michael Roina met with the Selectmen and discussed the following:

- He is working towards identifying a staff member who could efficiently assist the Fire Department administration with ongoing tasks
- His interest in attending a 72 hour Inspector class which will run various dates in January/February. Due to Mike’s Highway Department responsibilities the Selectmen denied his attendance during the winter months
- The Selectmen and the Fire Chief developed a plan for owners of multi-family buildings to be notified of the existing Life Safety requirement of installing smoke and CO alarms within each living unit. The Selectmen agreed to waive the Electrical Permit fee within the first sixty days of notification to the owners
- The Selectmen denied the Chief’s request that he be paid a non-exempt salary for his full-time employment

The Selectmen took action on the following matters:

- Reviewed and approved Payroll and Accounts Payable Registers for December 22 and December 30, 2015.
- Reviewed expenditures January 1 through December 30, 2015; as well as a Summary Comparison of the 2015 / 2016 Budgets.
- Due to the extended delay in receiving background checks for William O’Connor and Debra Whitney the Selectmen voted to have them each begin their employment before the Board’s review and acceptance of favorable background checks.
- Since the Fire Department roof was not replaced before the end of November as provided by contract, the Board voted to delay the roof replacement until Spring 2016; the Fire Chief will deliver the message to the contractor.
- Received a position statement from Mackensen & Company relative to their meeting with Thomas Dopravan, Director of Charitable Trusts and Terry Knowles, Assistant Director of Charitable Trusts. The matter at hand for the Town’s investment firm is concerns raised by the Securities Exchange Commission relative to Mackensen’s advertising and the timing of the firm’s notification to the Trustees regarding the SEC matter. The Administrator reported the Trustees of Trust Funds are seeking alternative investment information.
- Received a written apology from Cross Country Appraisal Group’s President Jeff Earls for the shortcuts taken by his firm while assessing two gravel pits this fall.
- Reviewed and approved the Scope of Services – Permit Renewal Update for Alteration of Terrain Permit WPS-5744, as presented by Stantec Consulting Services, in the amount of \$4,100.
- Voted the following 2015 Encumbrances:

➤ 4191-1-900	Master Plan	\$ 800
➤ 4210-1-800	PD Education	\$ 1,000
➤ 4312-1-390	Tar/Patch/Seal (TEP2)	\$10,000
➤ 4312-1-391	Paving (TEP2)	\$18,000
➤ 4312-3-610	Road Drainage Supplies (TEP2)	\$ 3,000
➤ 4550-1-610	Book Collection	<u>\$ 2,000</u>
		\$34,800

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- Voted the following 2016 Warrant Articles:

➤ Contoocook Housing Trust	\$ 300
➤ Contoocook Valley Transportation	\$ 500
➤ Grapevine Family Center	\$ 5,000
➤ American Red Cross	\$ 700
➤ Court Appointed Special Advocates	\$ 500
➤ Child Advocacy Center	\$ 500
➤ Natural Resource Inventory	\$ <u>3,000</u>
	\$10,500
- As recommended by the Conservation Commission, voted Mike Munhall a member of the Conservation Commission.
- Discussed the need for the seller/buyer of a portion of Tract IV, which is captured in Book 8796, Page 1863, to provide a certified map identifying the October 6<sup>th</sup> real estate transaction.
- Reviewed and approved the 2015 Equalization Municipal Assessment Data Certificate.

The meeting adjourned at 9:13 p.m.

Respectfully submitted by:

Denise French  
Administrator