

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – December 6, 2017

Selectmen James Cleary, Jeffrey Rose and Mark Mackesy were present as well as Administrator Denise French. The meeting was called to order at 6:04 p.m.

Whittemore Lake Road West residents, Kathleen and Michael Hoiriis and Judith Heddy met with the Selectmen to discuss their failed attempts to engage the State to replace a fifteen foot section of their deeded row-of-way access which washed away when State installed culverts failed:

- Damage occurred during the October 29 and 30 rain event.
- State personnel were at the Fish & Game dam October 29th and warned Mrs. Heddy to relocate her vehicle before the road became impassable.
- 1990 the State installed a replacement dam and spillway pool. The grade of the whole area was raised several feet to accommodate the pool, including a land bridge over the culvert.
- 2005, 2007 and 2010 a rain event caused the lake to crest the dam, overflow the pool, and wash away the bridge. Each time the State repaired the damage in a timely manner.
- November and December 2017 year round residents Heddy and Hoiriis separately made several attempts to contact the NH Dam Bureau to find out when the bridge will be replaced. On behalf of the NH Fish & Game (two State agencies indicate the other agency is responsible) Richard Fink reported that the repair is the Town's responsibility.
- Upon review of photographs of the dam taken before and after the October 29/30 rain event and subsequent damage to the bridge as well as the timeline and history of the dam, the Selectmen do not accept responsibility for repair of this private right-of-way.
- Mrs. Heddy reported that her propane supplier won't deliver to her home because the alternate access is too dangerous.
- The only alternate way out to a public way for the Hoiriis and Heddy families is through a 62-acre seasonal summer compound where the right-of-way traverses private property and is closed for the winter.
- The Selectmen unanimously agreed that the Town will take the lead in working with different State agencies, including Emergency Management, to achieve restoration of access, safety and basic necessities to these residences.
- It was also agreed that the State needs to re-examine the drainage components of the dam and ensure the drainage design is sufficient to handle peak flows. This reoccurring situation requires a permanent resolution.

A Comcast Cable TV Franchise Public Hearing was opened at 7:00 p.m. for renewal of their contract:

- Bryan Christiansen, Sr. Manager of Government & Regulatory Affairs was present to answer questions.
- Other than the Selectmen and Administrator there were no attendees at the Comcast Hearing.
- Comcast has 250 customers in Town; the cable utility passes by 750 customers.
- Voted to keep the franchise fee, paid by the subscriber, at 1%.
- The Board unanimously voted to renew the Comcast Cable Television Franchise contract for the period December 6, 2017 through December 5, 2027. The Selectmen executed the contract.

Board of Selectmen Minutes – December 6, 2017

The Selectmen acted on the following matters:

- Selectmen Rose and Mackesy reviewed and approved the November 29, 2017 Minutes.
- Reviewed and approved the December 7, 2017 Payroll and Accounts Payable Registers.
- The Board unanimously voted to continue 100% employer funded health insurance for full-time employees. Selectmen Rose and Cleary voted a 2% COLA for all Town employees. Selectman Mackesy voted not to pay full-time employees a COLA because their health insurance is completely funded by the Town. The 2018 health insurance premium increase is 0.5%.
- Heard a report that Frankestown Land Trust has been awarded a \$75,000 LCHIP grant towards the acquisition of 112 acres of Bennington land (M5/L5) that abuts their Frankestown conservation property.
- Heard a report of gratitude and appreciation voiced from a Mountain Road resident for the cleanup efforts, after the October rain event, of Highway Department employee Chris Davies. The Selectmen were pleased to receive the report and will follow-up with a letter to Chris.
- Voted to request that the Planning Board review the status of the previously approved Joshi condominium project since it appears that the condominiums have been abandoned and all Building Permits have expired.
- Voted the following December meeting schedule:
 - December 13th from 6:00 to 7:00 p.m. ahead of the public meeting with Architect Michael Petrovick when he will present conceptual plans for administrative and police office space.
 - December 19th with the Budget Committee and Department/Committee Heads to finalize the draft 2018 Operating Budget.
 - Unless circumstances require a meeting, the Board will take the rest of December off.
- Signed an Application for Preliminary Estimate for Bridge Aid. This action is in response to NHDOT listing the Antrim Road bridge over the Mill canal as red list status. The Administrator reported her communication with Monandnock Paper Mills' CEO Richard Verney inviting Mill officials to meet and develop an understanding of what mechanics may be tied to the canal bridge as well as other matters of mutual interest to consider when planning for the eventual replacement or rehabilitation of the bridge structure.
- Upon review of real estate transactions for the period October 1, 2016 through September 30, 2017 the Board signed the 2017 Equalization Certificate.

The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Denise French
Administrator