

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – September 5, 2018

Selectmen James Cleary and Mark Mackesy were present as well as Deputy Town Administrator Kristie LaPlante (6:00 p.m. – 7:30 p.m.) and Town Administrator Denise French (7:00 p.m. – 8:30 p.m.) The meeting was called to order at 6:00 p.m.

In the Road Agent's absence, Highway Department representative Chris Davies met with the Selectmen to discuss the following:

- Chris has received three bids for replacement of the guardrail along the river on North Bennington Road. No decisions were made.
- Roadsides are in need of ditching. Because the roads have not been ditched in several years the project will take two highway department employees at least one week to make headway. Chris reviewed quotes from four area vendors for assistance in ditching. No decisions were made.
- The Highway Department was able to process 1,000 yards of winter sand in mid-August but progress was impeded by moisture content in the sand. The Highway Department will process another 1,000 yards of sand in September.
- The Loader has been leaking hydraulic fluid for a significant period of time and continuous repairs are now becoming costly. The Selectmen authorized Chris to send the Loader out to a professional if the repair is beyond the scope of Highway Department staff.
- Underdrains will be installed on the lower end of Pierce Hill Road before the roadway is paved.
- Chris informed the Board of an August 31st confrontation he had with a discontented resident.
- Discussed John Plourde's resignation and options for filling the vacancy.

Mountain Road resident John Cronin, III met with the Selectmen to discuss damage to his driveway as a result of the August 17th heavy rain event. Mr. Cronin asserts that the culvert located just beyond 73 Mountain Road was unable to handle the water causing the culvert to fail, sending water down the southern side of Mountain Road and on to his property, damaging his driveway at 55 Mountain Road. Both Selectmen Cleary and Mackesy had visited the road shortly after the storm and noted that the culvert was topped by water but the water flowed over the roadway and not down the side of the road as Mr. Cronin claims.

Mr. Cronin recommended the Town replace the two 15" culverts in that location with a 48" culvert to better handle the water. Reflecting on an October 2017 rain event, the Selectmen discussed the scope of work to replace the culvert – DES rules would require a hydrologic study of the area (at a previously quoted price of \$14,000) and subsequent roadway engineering before construction could occur – and those costs are not within the budget. The Selectmen took the position that the torrential rain on August 17th (which caused significant damage in area towns) as well as the October 2017 rains were unusual events and were not a reflection of the ability for the culvert to handle normal and above normal rainfall.

Onset Road property owner Carey Holter met with the Selectmen to discuss a May 16, 2018 Cease and Desist Order issued for disturbing Onset Road and his July 31st submittal of a Driveway Permit Application. When the Driveway Permit Application was submitted Mr. Holter did not pay the required non-interest bearing performance bond in the amount of \$1,500 because he maintained the permit was for a culvert

and not a driveway. Mr. Holter was given another copy of the Driveway Regulations and the Selectmen explained the importance of a properly executed Driveway Permit Application and the requirements for his driveway. Mr. Holter and Highway Department representative Chris Davies will meet on site to discuss and review the driveway location and specifications. Once the Highway Department approves the driveway location and signs off on the Permit Application and the Town receives the \$1,500 driveway bond, the Town will lift the Cease and Desist Order.

From 7:08 p.m. until 7:25 p.m. the Selectmen met in Nonpublic Session under RSA 91-A:3-II(a). Selectman Cleary made a motion to enter into Nonpublic Session; seconded by Selectman Mackesy. Both members voted to enter into Nonpublic Session. Also present during the Nonpublic Session was Deputy Administrator Kristie LaPlante, Town Administrator Denise French, and Cathy McGillicudy. The group discussed the full-time vacancy in the Town Office that will be created when administrative positions are realigned. Motion was made, seconded, and approved to hire Cathy McGillicudy to fill the full-time vacancy starting no later than October 15, 2018.

From 7:31 p.m. to 7:40 p.m. the Selectmen met in Nonpublic Session under RSA 91-A:3-II(a). Selectman Mackesy made a motion to enter into Nonpublic Session; seconded by Selectman Cleary. Both members voted to enter into Nonpublic Session. Also present during the Nonpublic Session was Town Administrator Denise French and John Plourde. The purpose of the Nonpublic Session was to conduct an Exit Interview. No decisions were made.

From 7:53 p.m. to 8:03 p.m. the Selectmen met in Nonpublic Session under RSA 91-A:3-II(a). Selectman Cleary made a motion to enter into Nonpublic Session; seconded by Selectman Mackesy. Both members voted to enter into Nonpublic Session. Also present during the Nonpublic Session was Town Administrator Denise French and Damon Beaudreau. The group discussed the full-time vacancy within the Highway Department. No decisions were made.

The Selectmen acted on the following matters:

- Tabled approval of the August 5, 2018 Board of Selectmen minutes until both Selectmen Cleary and Hardwick are present.
- Reviewed and approved Payroll and Accounts Payable Registers for August 16, August 23, August 30, and September 5, 2018.
- Heard a report that the Police Chief is actively seeking reimbursement of Police Department Details dating back to 2015. However, nearly \$1,000 in funds spent for 2015 Safe Commute details will not be reimbursed due to funding cycles at the State level.
- Heard a report that a Starrett Road resident has been contacting the Town's paving contractor to express their displeasure with the work done.
- Received and accepted, with regret, the resignation of Highway Department employee John Plourde effective September 6, 2018.
- Received and accepted, with regret, the written retirement resignation of Town Office employee Lori Ricci effective September 27, 2018.
- Reviewed and authorized the Chairman of the Board to sign the SAC Education Funding Letter.
- Reviewed an email from an Antrim Road property owner documenting their concerns with lack of response from the Road Agent this past year relative to sidewalk and driveway repairs.
- Heard a report from Chairman Cleary that the trees in Evergreen Cemetery appear to be in good shape.

- Requested follow-up correspondence with the owners of Map 3, Lot 22 and Map 7, Lot 33 regarding removal of their dilapidated structures.

There being no other business before the Board, the meeting was adjourned at 8:03 p.m.

Respectfully Submitted,

Kristie LaPlante