

TOWN OF BENNINGTON

BOARD OF SELECTMEN

Minutes of the Meeting – July 28, 2020

Selectmen David Foster, David Hardwick, Sr. and James Cleary were present as well as Deputy Town Administrator Denise French. The meeting was called to order at 6:01 p.m.

John J. Cronin, III met with the Selectmen to discuss the following:

- In his capacity as Moderator, the upcoming September and November Elections were discussed:
  - ❖ Conval will not allow the Town usage of Pierce School for the September election. The preliminary plan is to use the Fire Station for the election facility; a portable handicapped toilet will be required.
  - ❖ The November election can be held at Pierce School since school is not in session that day.
  - ❖ Masks will be required for all entrants. Arrangements will be in place for outside voting for any voter who refuses to wear a mask upon entering the building.
  - ❖ The Road Agent offered to thoroughly clean the Highway Garage as an alternative election site.
  - ❖ Both the Selectmen and Police must be present throughout the day.
  - ❖ Conceptual long-range discussion included installation of an elevator at Town Hall as well as modifying the interior layout of the VFW for voting purposes.
- Continued concern about the hazardous building at 356 Greenfield Road. Town Counsel has previously advised the Town not to engage in the removal of the vacant structure. The Selectmen agreed to continue their communications with the Estate's representatives.

Road Agent Hazen Fisk met with the Selectmen and discussed the following:

- He has secured a Burn Permit for the Transfer Station which now simply needs the signature of Forest Fire Warden Matt Hall.
- Further work is needed on Gillis Hill Road to alleviate water running past the catch basins.

From 6:39 p.m. until 7:33 p.m. the Selectmen met in Nonpublic Session under RSA 91-A:3II(a). Selectman Cleary made the motion to enter into Nonpublic Session, seconded by Selectman Hardwick; the vote was unanimous. Present were Selectmen Cleary, Hardwick and Foster as well as Road Agent Fisk and Deputy Town Administrator French. The group discussed personnel concerns. Being a second offense, the Selectmen unanimously voted to place an individual on unpaid suspension for one week for acting in an insubordinate manner toward their supervisor. Selectman Cleary will sign the written notification Wednesday and deliver the document to the employee. The employee's return schedule will include part-time hours at the Transfer Station. Selectman Cleary made a motion to adjourn the Nonpublic Session at 7:33 p.m.; seconded by Selectman Hardwick; the Board unanimously voted to adjourn.

Cora Curtis Estate representatives Gary Curtis and Laura Manning met with the Selectmen and Code Officer John Kendall to discuss the status of the homestead property and dispute that the property is a campground as the Town's assessing records state. Mr. Curtis provided background information on the continued use of the property since 1971 for family reunions and Curtis family camping. He reported there

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are fifty sites with a waiting list of family members waiting to participate in the seasonal rituals. There is no available acreage for expansion of the homestead area. There are no homestead covenants but the Cora Curtis Homestead is registered with the State of New Hampshire. The Selectmen and Mr. Kendall had been concerned about increased applications for Building Permits to enclose structures or add porches, etc. Mr. Curtis reported that no new sites are being created. The Permits are actually upgrading the quality of existing buildings. Mr. Kendall reported his great working relationship with the homestead representatives. He has no concerns with code enforcement issues or health officer concerns. The Selectmen, Code Officer Kendall, Mr. Curtis and Ms. Manning all agreed to move forward collectively; Building Permits will be processed as received. The assessing records will eliminate the property's reference as "campground" since the property does not meet the definition of RSA 216-I:1, II.

Resident Donald Trow met with the Selectmen to state his concerns relative to the following Highway Department operations:

- Stump dump
- Burn pile
- Brush pile
- Ditching on Old Stagecoach Road and Dodge Hill Road
- Creation of an unsafe "mountain" of ditching debris
- Gillis Hill Road drainage

Selectman Cleary volunteered to review the identified concerns with the Road Agent.

From 8:25 p.m. to 8:40 p.m. the Selectmen met in Nonpublic Session under RSA 91-A:3II(c). Selectman Cleary made the motion to enter into Nonpublic Session, seconded by Selectman Hardwick; the vote was unanimous. Present were Selectmen Cleary, Hardwick and Foster as well as Code Officer John Kendall and Deputy Town Administrator French. The group discussed an active Life Safety Code Violation. Prior to executing the eviction of a family, the matter will be reviewed with Town Counsel. Selectman Cleary made a motion to adjourn the Nonpublic Session at 8:40 p.m.; seconded by Selectman Hardwick; the Board unanimously voted to adjourn.

The Selectmen acted on the following matters:

- Reviewed and approved Accounts Payable and Payroll Registers for July 16 (2) each and July 23, 2020.
- Reviewed the draft Zoning Board of Adjustment Minutes for July 20, 2020 as well as the July 23<sup>rd</sup> Selectmen's Advisory Committee Recap and the July 24<sup>th</sup> ConVal School District Developing Reopening Plan PRESS RELEASE.
- Reviewed Highway Department task schedules for the periods June 29, July 6, 13 and 20.
- Tabled review of two bids for painting the VFW's exterior after learning that a third bid is forthcoming.
- Voted to pay Gordon Services Property Maintenance LLC \$6,408.72 for raising eight manhole covers and resetting the same eight manhole covers based upon the Antrim Water/Sewer Superintendent's misunderstanding of information. The Selectmen plan to adjust a future payment to Antrim Water/Sewer Department to recoup the Town's costs.
- Voted to contract with Ciardelli Fuels for the Town's 2020/2021 heating costs.

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- Reviewed a letter from Planning Board Chair David McKenzie in which he notifies the Board that a concern was raised regarding the current composition of the Planning Board. The concern noted that Luke Hardwick, an elected member of the Board, is the son of *ex-officio* member David Hardwick and this might result in the *appearance* of bias. The writer also points out that four of the five regular members of the Planning Board live within approximately one-half mile of each other on or adjacent to Gillis Hill Road and it could be advantageous for more geographic diversity. After discussing each of the Selectmen’s availability the Board confirmed David Hardwick to be their representative on the Planning Board.
- With regard to the pandemic and its affect on the air quality at Town Hall, the Selectmen voted to install UV lights in the furnaces’ duct work as well as air exchanges for each furnace. The estimated cost is \$8,000. The improvements will likely be reimbursed through GOFFER/CARES Act Funding.
- Heard a report that Patrick Greene has an interest in exploring cost effective recycling operations. The Selectmen recommended the Recycling Committee meet to discuss restoring recycling operations and prepping the building for reopening. It is intended that Patrick will be included in this meeting.
- The Selectmen requested that Code Officer John Kendall review the fee structure for all Permits he is responsible for and submit a proposed Draft of his recommendations.
- The following Building Permits were reviewed and approved:
  - ❖ Map 12; Lot 2 – subject to an approved Driveway Permit
  - ❖ Map 13; Lot 14
  - ❖ Map 19; Lot 2-3
  - ❖ Map 21; Lot 10-1

The meeting adjourned at 9:10 p.m.

Respectfully submitted by,

Denise French  
Deputy Town Administrator