

Bennington Board of Selectmen
Tuesday, April 19, 2022 6:00 PM
Meeting Minutes

Present: James Cleary, David Foster, Thomas James

Appointments:

6:00 Dave Desaulniers – David and Kenny Desaulniers were before the Board to discuss 39 Durgin Rd – Map 22-Lot 11D. This is a 2.28-acre lot abutting 45 Durgin Rd. The Desaulniers would like to offer to purchase this property, the amount they are prepared to pay was discussed, along with this amount they are willing to pay any associated costs, they further understand this property will never be built on. Discussion followed.

Selectmen unanimously agreed to this offer however, contingent upon a discussion with Town Counsel first. Selectmen will get back in touch with David Desaulniers after this is discussed with Town Counsel.

6:15 Chief LePine –

- **Vacation Time** - Chief LePine discussed vacation time for Jeff Danforth. Jeff was hired in October 2021 and is not eligible for vacation until October 2022. Vacation time was overlooked during the hiring process, Chief LePine indicated Jeff lost 3 weeks-vacation when he transferred to Bennington. Chief LePine requests that Jeff be granted a week of vacation effective immediately.

Discussion followed. It was mentioned that if they grant vacation to Jeff, then DJ should also get a week vacation. The Personnel Policy reads you get one week of vacation after one year of employment and probationary time has ended. Selectmen discussed both employees are good employees and should get vacation. The Personnel Policy is going to be updated, it is very outdated.

Chairman Cleary motioned to provide one-week vacation to Jeff Danforth and DJ Wing, effective immediately. 2nd by David Foster. Selectmen unanimously voted to approve a one-week vacation, prior to the one-year probationary time, for Jeff Danforth and Douglas Wing. They will both be notified of this decision.

- **Police Cruiser** – Chief LePine informed the Board that all parts are in for uplifting the new police cruiser. It is being worked on and should be ready within two weeks. Further discussion regarding options for selling the old cruiser. Chief LePine indicated Keith Nason knows a dealer who is interested in purchasing it. Selectmen encouraged Chief LePine to

obtain the highest possible trade in, private sale etc. He believes he will get at least \$8,000.00 for the sale of the cruiser. Selectman Foster suggested govbid.com as a good place to advertise.

- **Easter Holiday** – Selectmen discussed and clarified with Chief LePine that Easter is not a regular holiday and you don't get paid unless you are scheduled to work the holiday. (i.e. the transfer station is regularly open on Sunday, therefore Tom James closes the center and would get paid.)

6:30 – Dennis McClure –

- **Sawyer Field** – Mr. McClure discussed with the Selectmen the Softball Field and that the Ball Team would like to install a 155' long 8' high chain link fence in the back of the field – it would go from the L side boundary to the L of center field. This will keep the ball in the field of play. Mr. McClure stated this would be a donation and would be at no cost to the tax payers. Mr. McClure discussed he doesn't want to see vehicles on the field this summer, it tears the field up and a lot of work goes into fixing the field every spring.

Selectmen will consider the fence, but they would like to have the area of potential fence marked out before any decisions will be made. They would also need written approval from the abutters to install a foul pole to keep the ball in play

Cars will be parked on the field during the summer months when the field has events. The Town is in charge of the field and it will remain that way. It is part of the deed the Town be the keepers of the field.

- **Stage** – Mr. McClure discussed wanting the stage to be moved next to the scoreboard. He feels where it is currently located is in the field of play and in water. Power to move the stage was discussed. Selectmen mentioned to Mr. McClure the price to move the electricity to the score board is approximately \$6,000.00 +/- . It is expensive to relocate. Selectmen discussed options of where the stage could be relocated to, none of these were acceptable to Mr. McClure as he feels both locations are in the field of play when there are ballgames. Chairman Cleary said it appears the town will not be able to relocate the stage, it isn't going to happen.
- **Sawyer Field Deed** – The deed for the field was discussed, the deed specifically states the property is to be used as a public playground. McClure indicated he has spoken to heirs of the Sawyer family and they are not happy how the field is being structured for use. Selectmen stated, the deed is the legal document that needs to be observed and adhered to and the field will be used for the purpose in which it was left to the Town, as a public playground.

- **Farmers Market** – The next discussion was the Farmer’s Market. Mr. McClure asked why it has to be on Tuesday and why in the ballfield area. He asked why can’t it be over near the playground or closer to the Wilson property? Selectmen informed Mr. McClure that the Farmers Market was brought before the board last fall as a function, neighboring towns have them, it is a great opportunity for local folks to sell their products. The matter of insurance was discussed, the vendors will provide their own insurance certificates. At this time, the Farmers Market will remain as scheduled, Tuesdays 4pm – 7pm at Sawyer Field.
- **Store** – Mr. McClure stated he thought the town should file an insurance claim for the damage to the field. The Store has been pushing snow across the road and dirt gets onto the field, this is not acceptable. McClure also discussed the drain which goes into the field. A lot of work has gone into the field and McClure, his opinion is this has devastated the field. McClure further discussed the store has a permit from the State of NH for two driveways 50’ wide, McClure stated there are currently 5 driveway exits. He further stated this needs to be addressed.

Chairman Cleary stated the Town will help as much as possible, but the deed is recorded and it cannot be changed and it will be honored. He further commented he will discuss these concerns with the Store owners.

McClure commented about safety and two of the driveways should be blocked off. Selectman Foster stated that for safety reasons the gas tankers use the second egress and it is exactly for safety reasons these alternate driveways should remain.

Selectmen thanked Mr. McClure for bringing his concerns to the table. The Board will go look at the field to see what damage is done and then speak to the appropriate people. They will discuss the concerns amongst themselves and then get back with Mr. McClure of their decisions.

Minutes: Selectmen reviewed the minutes of 04/05/22 as written. Motion by Chairman Cleary to accept the minutes, seconded by Foster & James. Minutes accepted.

Financial: Selectmen reviewed and signed the weekly payroll register and A/P Register

Old Business:

- Sawyer Park Rental Agreement & Policy was finalized and accepted.
- VFW – Town Administrator, Deb Davidson spoke to Mike Munhall of the Conservation Commission who indicated the Commission would like to choose plant. A brief discussion followed. Selectmen unanimously agreed, the plant was removed by mistake, the

Selectmen will replace it as was originally agreed. The type of plant needs to be clarified and then the shrub will be replaced as soon as possible.

New Business:

- Letter from two residents re: LED sign and location. Selectmen discussed this, the sign is currently at the Transfer Station and in the future placement will be taken into consideration.

Miscellaneous:

- Planning Board Ex-Officio was discussed, the difficulty of getting to these meeting by all was discussed. Motion by Selectman James to appoint James Cleary as Planning Board Ex-Officio. Seconded by Selectman Foster.
- Library appointment ex-officio – Dave McKenzie
- Edward French Scholarship – this scholarship was discussed, the account has no funds left, the discussion to close the account or try to get some donations followed. At this time Selectmen would like to try to see if there are any means for donations before closing the account. Currently the Town has raised and appropriated \$2,000.00 for 2022.

Items for signature:

- Abatement - \$5.00 – Cilley Revocable Trust
- Bank signatory letters (Chairman Cleary only to sign)
- Healthtrust - Cobra Agreement, Application & Membership Agreement, Retiree Billing Agreement (Chairman Cleary only)
- Cemetery lot – Douglas & Deborah Wilk
- Gravel Tax – FSG - \$459.84
- Building Permit – Lyons – M20 L9 – in ground pool; Clark – M11 L15-remodel interior

Other:

- Radios - Selectmen Foster reported all the radios have been installed and are on site. These were paid for through grant funds and the stipulation of the grant is the old radio's cannot be sold.
- Transfer Station – Selectman James reported there has been a problem at the Transfer Station with someone, who is not a resident, dumping commercial debris and being very rude when asked to recycle. He will not recycle, he just dumps everything into the dumpster. This person has a father who lives in town and is dumping under the pretense it is for his father. The resident can absolutely use the Transfer Station but not for

commercial dumping. Options for handling this situation were discussed. Chairman Cleary will speak to the resident and report back to the Board.

- Bi-weekly meetings- Selectmen discussed going to bi-weekly meetings, they will begin this immediately.

With nothing further Chairman Cleary motioned to adjourn the meeting at 8:00 pm. Seconded by Selectmen James & Foster. The next Selectmen's Meeting will be Tuesday, May 3, 2022 at 6:00 pm.

Respectfully submitted,

Debra Davidson, Town Administrator