

Town of Bartlett Office of Selectmen

Meeting Minutes: 12-14-07

Attendance: Chairman Gene Chandler, Douglas Garland, Jon Tanguay

Reporters: None

Meeting opened at 08:30 AM.

Chip Henry (driver of truck) Alan Bennett (owner of bus), and Bartlett Police Chief Timothy Connifey met with the Selectmen to discuss an accident that happened in March 2007 when the Polecat Ice Bar party was being held. Henry stated that the police officer had waived the bus out in front of him. Henry caught the bumper of the bus. He was thrown into the steering wheel and his passenger left his impact in the windshield. Henry stated that it was the police officers fault. Henry also stated that he didn't hear anything from the police department for months so he turned the whole thing over to his insurance company. Bennett stated that he didn't hear anything for nine months until he received a bill from Henry's insurance company. Bennett stated that he has no problem with transporting people for the ice bar and he has owned buses since 1964 and is in charge of 28 buses now. He mentioned that no one would admit what happened and that anyone can make a mistake. Bennett stated that there were a lot of witnesses beside the bus driver. Bennett said that the police took the information and one time he met the Chief at Attitash and they chatted about the situation and agreed what had happened. Bennett fixed his bumper out of his own pocket and thought everything was all set with Henry's truck as he hadn't heard anything for months. He did attempt to speak to the Chief at the Dairy Queen but the Chief didn't respond when he called out to him. The next thing Bennett knew he was receiving an angry letter from the insurance company wanting money. He called and explained the situation to them, but they turned it over to the auto claims department so he decided to pay it to get the claims department off his back. Bennett paid for the repairs to his bus as well as Henry's truck. Henry stated that because he has a commercial insurance policy that even though the accident wasn't his fault that his insurance went up. Connifey stated that this was the first he had heard about a counter claim. Chairman Chandler stated that he was going by memory but the Selectmen had authorized payment of up to \$1500.00 with a minimum of \$1000.00 and did Henry receive this information from the Chief. Henry replied "No". Bennett inquired as to why he was left out of the loop. Selectman Tanguay inquired how much the cost was to the bus. Bennett

Page 2- Selectmen's Meeting Minutes 12-14-07

stated around \$1200.00. Chairman Chandler stated that the Selectmen had felt that everyone was somewhat at fault as the police officer waived the bus out, the driver should have looked, and Henry should have reduced his speed. Henry stated that he probably should have but he did have the right of way. Selectman Garland stated that no one person was at fault and that is why the Selectmen had agreed to pay a portion of the auto repair expenses. Bennett stated that he paid Peerless Insurance Company and if there is any money to be allocated out he would like some of it. Bennett stated that he paid \$2848.00 for Henry's truck, \$1200.00 for his bus and that Henry had to pay \$500.00 for his deductible.

Chairman Chandler made a motion to go into non public session, Selectman Garland seconded the motion. Motion carried unanimously.

Chairman Chandler made a motion to end the non public session. Selectman Tanguay seconded the motion. Motion carried unanimously.

The Selectmen reviewed and discussed the matter and they all agreed to pay Bennett \$2500.00. Bennett requested that the check be sent to B & B Performance, Inc, at 46 Union Hill Road, Fryeburg, Maine 04037.

Annette Libby, Recreation Director, brought in her financial balance sheet which she distributed to the Selectmen to review. Libby stated that she would like to take the golf tournament money and put it into a savings account or money market account whichever will make the most money. The Selectmen agreed this was a good idea. Libby would also like one of the Selectmen to close out the small savings account that is at the Citizens Bank. Libby is having an ice cream social at 4 PM on Monday as a thank you for the helpers and elves at the Christmas Tree Lighting ceremony and the Selectmen were also invited to attend. Libby would like to have a get together on Friday the 21st of December for the town employees. The Selectmen agreed and details will be worked out. Libby discussed issues of snow machines on the ball park. The Selectmen will write a reminder letter to Lil' Man Snow machine business about this.

Libby requested to go into non public session to discuss a personnel issue. Selectman Tanguay made the motion at 10:10 AM to enter non public session under NH RSA 91-A:3, II-1. Selectman Garland seconded the motion. Motion carried unanimously. Chairman Chandler made a motion at 10:20 AM to end the non public session. Selectman Garland seconded the motion. Motion carried unanimously.

Tom Kane of CPRC Recycling met with the Selectmen to discuss the unpaid bill for glass grinding that was done at the Bartlett Jackson Transfer Station in October. Kane had received a letter from the Selectmen that had stated that they felt the bill was way too high for the services rendered as the equipment was broken down quite a bit and they were surprised that they did not screen the glass to remove the rocks prior to attempting to grind the glass. The Selectmen had requested that they let them know how many hours the machine actually worked while at the transfer station. Kane brought time cards and pictures with him and informed them that it was the job foreman that had decided not to screen the glass. It had been agreed that they would grind and bring a loader and that John Edgerly, Transfer Station Supervisor, would get an extra person to pick rocks and that the cost would be \$3000.00 per day for a six hour day. Kane stated that they showed up Wednesday, October 24th they set up and ground for three hours. Thursday they ground for 1 ½ hours had a problem with the alternator which they fixed and ground two more hours when they broke down again. They spent three hours grinding and one hour moving the glass around. Friday the whole bit section broke and they had a mechanic come up and do welding. They started grinding around 11:00 AM and worked six hours that day and had two hours for moving glass around. John Edgerly had the staff stock pile and clean the rocks out of the glass over the weekend. Monday they worked one hour and hit something else. They stopped grinding looked the situation over and decided they weren't getting anything done so they decided to pull out. They did give Edgerly the option to move the glass to Scarborough and gave him the price per load to do this. Kane stated that they ground for 13 hours, they had 5 hours of moving the glass around which is the equivalent of 3 days at \$3000.00 per day. They had a day for down time and time for moving and setting up. Chairman Chandler replied that first of all Jackson is also involved in any decisions that are made. Chairman Chandler stated that as far as he is concerned that there are two issues: 1.) That there was no sense coming up if they were not going to screen the glass. 2.) We shouldn't have to pay for the down time because of the rocks as we were surprised that there was no screening done.

Kane replied that when they started the project that he knew and Edgerly knew they weren't going to screen. Selectman Garland stated that if he had known that they were not going to screen and that they would have to pay for down time that he would not have taken the deal as his decision was

Page 4- Selectmen's Meeting Minutes

based on the information given to him when they all met at the transfer station and viewed the glass pile together. Selectman Tanguay informed Kane that they couldn't give him a decision as they have to discuss this with the Selectmen in Jackson as well as Edgerly. Kane replied that he wanted to handle this in a professional manner and it has been two months since the work was done. Chairman Chandler told Kane that they would get in touch with him as soon as possible and they will talk to Jackson to see about sending out something and negotiate the rest. Kane also suggested that perhaps they could contact the Town of Conway landfill and see if they would accept some of this glass as cover for their landfill.

Selectmen reviewed correspondence, building permits, signed letters and checks prior to and throughout the meeting.

Meeting adjourned at 11:40 AM.

Respectfully submitted,

Brenda Medeiros, Sec.