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Town of Danville
Board of Selectmen
January 2, 2019

7:00 PM

Meeting is Video-Recorded

Selectmen Present: Chairman Scott Borucki, Vice Chair Shawn O'Neil, Sheila Johannesen, David Knight, Judi Cogswell

Others Present: Patricia Shogren, Town Administrator. Members of the public: Steve Waitkun, Fire Chief, John Hughes, Fire Ward

Scott opened the meeting with a moment of silence for the troops who put themselves in harm's way. All stood for the Pledge of Allegiance

I. Delegates

Fire Chief Waitkun updated the BOS on the Fire Dept warrant article for the construction of the new bay in the Firehouse. It is a work in progress and he is expecting the final numbers by Jan. 3. He is concerned about the deadline for submitted warrant articles. After discussing various deadlines including the legal requirements for posting the articles, the BOS requested that he submit the warrant article by Jan. 8 in time for the Budget Committee to review it. The BOS will review it at the Jan. 14 meeting in time for the Jan. 15 publication deadline. Dave notes the important pieces of the warrant article are the title and wording as those cannot be changed once approved. Amounts can be changed at the deliberative session should that be necessary.

II. Signature File

✚ Vendor and Payroll Warrants-2018-26

✚ Library Payroll Warrant-2018-26

✚ Scott requested a motion to accept the Deputy Tax Collector position as written. Seconded by Judi. Vote is unanimous

III. Budget

Default Budget Review: The BOS reviews the details of the 2019 Default Budget for \$3,287,815. Shawn has examined the budget and requests the following corrections:

✚ **#4312.20.20 Highway Dept:** Elimination of full-time position, funding the previously approved part-time position reducing the funding to \$34,857

✚ **#4155.90 Selectman's Budget:** Health and Dental reduced to \$162,593

✚ **#4140.10- Town Clerk Budget:** Vital Records must be funded, an increase of \$1200 to the Default Budget

Sheila asks if the Default Budget will contain the salary and COLA increases. Shawn states they will. Sheila believes this is in violation of the new RSA's passed in 2018 and would like it noted that she has contacted NHMA to confirm that information. Dave has also notes that phraseology exists stating that salary changes can be made only by the BOS. Shawn also points out that the BOS had taken action on this matter at a previous meeting and this was a financial commitment the BOS had made in 2018. A short discussion ensued. Dave requested the meeting return to the discussion of the default budget and BOS address Sheila's concerns at a more appropriate time in the meeting.

Shawn requests correcting the reevaluation budget to 2018 levels. Patty notes that law requires the reevaluation, the contract had gone out for bid and a contract was awarded and that amount should be in the default budget. Shawn asks Patty for a corrected amount on the Default Budget. Shawn motioned to accept that amount as the new Default Budget amount. Seconded by Judi. Discussion returns to Sheila's concerns.

Sheila discussed the information she received from NHMA with the update of the language pertaining to the Default Budget Law and felt the section referring to the Operating Budget referred the authorized budget of the previous year. However, there are exceptions for increases and/or decreases that have been authorized under law.

Dave opines that salary and COLA increases were authorized by the BOS in 2018 and fall within those exceptions. Scott states that earlier in 2018 he spoke with Town Counsel regarding a related matter. He was advised that BOS increases made in 2018 were done under existing law. Scott continues that he would defer to the advice given by the same Counsel who would represent the BOS in any legal action. Dave notes the new laws were a classic case of the ambiguity created when trying to clarify existing laws.

Shawn explains the amount of detail and data contained in the Default Budget and takes exception to the e-mail as containing buzzwords questions that ultimately ridicule the Default Budget. He suggests that Sheila review the budget as he has and bring forward and changes to present to the BOS.

Sheila confirms with Scott that he has a written copy of Town Counsel's opinion. With both sides of the discussion having written opinions, Sheila states she is satisfied. Scott ends the discussion by requesting a vote on the motion. Vote is unanimous. Sheila asked for the email that the town received from NHMA, requested by the Board chair regarding the default budget that summarized her conversation with NHMA legal, be attached to these minutes.

Revenue Budget Correction: Patty presented a corrected Revenue Budget. An error of duplication for \$77,200 was discovered during a previous review. Shawn motioned to update the Revenue Budget to the amended amount of \$1,256,350. Sheila seconded. Vote is unanimous. Patty will send the corrected budget to the Budget Committee.

Warrant Article 2019-23: Colby Memorial Library Infrastructure and Facility Non-Capital Reserve Fund

To see if the Town will vote to establish a Non-Capital Reserve Fund per RSA35:1-C for the engineering, repair, and renovation of the facilities and the upgrade of the Colby Memorial Library's infrastructure and further to raise and appropriate Two Thousand Five Hundred (\$2,500) to go into this fund and further to name the Colby Memorial Library Trustees as agents to expend from said fund.

Dave motioned to move this Warrant Article forward. Seconded by Judi. Vote is unanimous.

Dave motioned for the BOS to recommend this Warrant Article. Seconded by Judi. Vote is unanimous.

Warrant Article 2019-15: Design Plans for a New Police Station

To see if the Town of Danville will vote to raise and appropriate the sum of Twelve Thousand Dollars (\$12,000) for the design and plans for the new Police Station. With Twelve Thousand Dollars (\$12,000) to be withdrawn from the New Police Station Capital Reserve Fund. No Tax Impact.

Sheila motioned to accept the Warrant Article as written. Seconded by Shawn. Vote is unanimous

Sheila motioned for the BOS to recommend this Warrant Article. Seconded by Dave. Vote is unanimous

Patty will forward both Warrant Articles to the Budget Committee.

IV. Old/New Business

Prior to reviewing the minutes, Scott requests a brief Non-Public session.

Minutes: Dave motions to accept the minutes for December 17, 2018 BOS meeting as presented. Seconded by Judi. Vote is unanimous.

Dave has several requests:

He would like a reminder to go out to all Department Heads reminding them the deadline for employee evaluations are due by Feb. 15, 2019.

He would like assignments made for the reviews of the Town Administrator and Land Clerks. Patty completed her review of the Land Clerks and will provide updated copies to the BOS.

He inquired into the deadline for the Town Report. Patty confirmed the Town Report is due by January 15. After a short discussion of who will write the Town Report, Patty will put together a list of the highlights and send them to Scott and Dave to author the report.

Dave is in need of an 8x10 Presentation Frame. Judi will drop one off for him.

V. Town Announcements:

Judi read the town announcements listed below

Open Committee Seats:

- ✚ Forestry- 1 open position and 1 alternate
- ✚ Heritage- 1 alternate
- ✚ Planning Board- 2 alternates

Recreation Happenings

- ✚ Pancake Breakfast on Saturday, January 12, 2019 from 8:00AM- 10:00AM
- ✚ Parents’ Night Out is also on Saturday, Jan. 12, 2019 from 6:00PM-9:00PM

Important Voting Information for 2019

- ✚ Deliberative Session: Saturday, Feb. 2, 2019 at the Community Center 10:00AM
 - **Snow Date: Sunday, Feb. 3, 2019 at the Community Center 10:00AM**
- ✚ Meet the Candidates: Tuesday, February 5, 2019 at the Community Center 7:00PM
- ✚ Voting: Tuesday, March 12, 2019 at the Community Center 8:00AM-7:00PM

There being no further public discussion, Scott requests the BOS enter a Non-Public Session as allowed under NH RSA 91: A: 3-2E. Shawn motioned to go into the requested non-public session. Seconded by Sheila.

Roll Call Vote: Shawn- yes; Scott-yes; Sheila-yes; Dave –yes; Judi –yes.

Non-Public Session begins at 7:45 PM.

Minutes derived by video provided on the Town of Danville website.

Respectfully Submitted, Deborah A. Christie

Motion to enter Nonpublic Session made by Shawn seconded by Sheila

Specific Statutory Reason cited as foundation for the nonpublic session: RSA 91-A:3, II(e)

Roll Call vote to enter nonpublic session:	Scott Borucki	yes
	Shawn O’Neil	yes
	Sheila Johannesen	yes
	Judi Cogswell	yes
	David Knight	yes

Motion: PASSED

Entered nonpublic session at 7:50 p.m.

Other persons present during nonpublic session: Patricia Shogren

Description of matters discussed, and final decisions made: Selectmen discussed a day and time to meet with legal counsel for a non-meeting.

Motion to return to Public Session made by Judi seconded by Dave

Roll Call Vote to return to public session:	Scott Borucki	yes
	Shawn O'Neil	yes
	Sheila Johannesen	yes
	Judi Cogswell	yes
	David Knight	yes

At 8:00 PM Judi made the motion, seconded by Sheila to adjourn; motion passed.

Minutes recorded by Patricia Shogren