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Town of Danville
Board of Selectmen
July 13, 2020
7:05 PM

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Meeting is Video-Recorded


Selectmen Present: Shawn O'Neil, Chair; Steve Woitkun, Vice Chair; Sheila Johannesen, Dottie Billbrough, and Joshua Horns

Others Present: Kimberly Burnham, Admin Asst. to the BOS; Bruce Caillouette, Road Agent

Shawn called the meeting to order at 7:05PM and 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


Highway Dept: Salt Shed bid update: Mr. Caillouette and Steve have reviewed the bids submitted and opened at the June 29, 2020 BOS meeting. He reminds the BOS that when the process began for the Salt Shed, the BOS at that time indicated they preferred a wood building with a metal roof. He explains the bid received from Charter Brothers of Danville provided that building. The only options that were priced was a substitution of asphalt shingles for the metal roof. Their bid was for \$296,425. The amount in the Capital Reserve Fund is \$295,800. Mr. Caillouette explains that he reached out to the Charter Brothers. The original RFP had provided that the site would be prepared and graded for a building. Their original bid had included their own subcontractor to install the necessary pilings on site. However they indicated that they were willing work with the contractor doing the site work to install those pilings and that would lower their bid because they would not have to subcontract that work out themselves.

 **Charter Brothers bid was for \$296,425, for a combination concrete/ wood structure with a galvanized roof.** There is an option for a price reduction if they could use the Town's contractor for site work to install the required concrete pilings

Mr. Caillouette explains that Nutter Corp. of Andover, MA would be his second choice. Their bid was for an all-wood structure, there was no concrete foundation. Wooden pillars would be installed directly into the ground. Mr. Caillouette contacted them for pricing to increase the 16' walls quoted in the bid to 20' walls. That changed would require an increase in the size of the piers from 2x6 to 2x8 as well as added materials. The total cost with those changes is \$266,700. Mr. Caillouette stated that he would not utilize their bid on the site work as it was two times higher than any other site work bid.


Mr. Caillouette notes his third choice was a bid for concrete blocks set in place with an arched vinyl roof. He provided no additional details on this bid.

Mr. Caillouette notes that Nutter Corp. had also bid on an all-steel building. That bid called for concrete footings in the ground, 12' steel walls with 2x6 tongue & grooved pressure treated wood for sidewalls to 16', a galvanized steel frame and arched roof. Sheila asks for the size of the building. Mr. Caillouette responds it is 70 x 60. Steve asks for the price of this option. Mr. Caillouette notes it is an additional \$12,000 for the galvanized structure and \$1200/foot to increase the sidewalls from 16' to 20'. This steel building was \$266,700.

 **Nutter Corp bid for a galvanized steel and wood building with a metal roof is \$266,700**

Sheila asks if the prices include the site work. Mr. Caillouette responds the bid from Charter Bros. did include the site work, and he added the lowest bid for the site work to the Nutter Corp. bid to reflect their total cost quote. He

explains that he added in the lowest bid for site work, received from Mike Holmes Excavation for \$27,000. He notes the next highest site bid was from Busby at \$33,000. He notes that Nutter Corp.'s bid for the site work was \$61,000. Those were the only three bids received for site work. Sheila asks which of the bidders would be using Town fill. Mr. Caillouette notes all bidders would be using Town fill. Sheila notes only the bid from Mike Holmes Excavation specifies the use of Town fill. She expresses concern that detail was not noted on the other bids.

 **Mike Holmes Excavation bid for \$27,000 was the lowest bid for site work. Mr. Caillouette added that bid into his recommended bids for the Salt Shed building.**

Sheila asks if all the bidders bid knowing they would be using Town Fill. Mr. Caillouette confirms that information was passed on at the site walk. Sheila states that information was not written in the RFP. Shawn clarifies that Sheila is concerned the quotes are for purchased fill, which would have an additional cost. Mr. Caillouette explains that everyone who bid was at the site walk as well as several others who did not bid. Joshua confirms that Nutter Corp.'s site work bid for \$61,000 was not based on the assumption they had to purchase fill. He asks if Mr. Caillouette knew why there was such a difference in their quote for the site work. Mr. Caillouette explains that Nutter Corp. even called him after the site walk and wanted to meet. Mr. Caillouette explained to him (Nutter Corp.) that the Town gravel pit was less than a one mile round trip. Mr. Caillouette reaffirms that everyone who bid on the site work knew the materials would be coming from the Town pit. Sheila asks if material from the Town pit was adequate. Mr. Caillouette notes it "bed ground gravel" (good gravel), that it has been a gravel pit for 50- 60 years, and the Town owns part of the pit. Shawn notes that using that gravel would save on material costs. He agrees the BOS needs to confirm that all three bids were based on the same assumption of using Town fill. He wants to ensure the written RFP and the information communicated at the site walk was consistent. Steve notes that he did the site walk with Bruce and that all the bidders were at that meeting and were given the information regarding the use of Town fill. Shawn concurs with Joshua's concern that Nutter Corp.'s bid was two times that of the other bids. Mr. Caillouette notes that a contractor who has done work in Town for over 40 years had attended the site walk and told him that he knew the bids were going to come in lower than his could and that he would not be bidding.

Steve notes that Charter Bros is a local company and that he personally is narrowing the choices to the Charter Bros and Nutter Corp. bids for the steel building. Shawn expresses concern the building quoted from Charter Bros. is an all-wood structure, noting the first eight feet of the shed needs to be stone or it will rot. Bruce notes the Charter Bros. bid notes that every five years the wood needs to be re-coated. Shawn expresses concern with those ongoing maintenance cost. Steve notes the Town will still need to protect the concrete from the salt. Mr. Caillouette states that he has talked to other towns with full wood structures and has been told that as long as there is good drainage and it is not sitting in water they would last. Kingston's Shed is thirty-plus years old and does need to replace some wood. Shawn expresses concern that a full wood structure just will not last, noting that he has seen pressure treated wood rot. He would support a wood structure after 8'-10' concrete or block sidewalls, but notes the foundation and lower wall construction is critical. Mr. Caillouette notes that one of the bids did specify precast concrete walls and arch but had a vinyl roof.

Joshua expresses concern regarding the bids that include pressure treated wood and the availability of that material. Sheila also notes there has been discussion of pressure treated shortages. Mr. Caillouette notes that salt would also help preserve the wood. He reminds the BOS the current building the Highway Dept is using was actually moved from another location, is old and still has some good wood.

Sheila asks Mr. Caillouette which bid was his third choice. Mr. Caillouette notes that would be Bulk Storage. That was the company that would use the precast concrete walls and a vinyl roof for \$190,651. Sheila asks if any of the other bidders also provided a steel roof. Sheila continues to ask Mr. Caillouette regarding other bidders with steel roofs. Mr. Caillouette notes that he did not bring information on all the bidders after he ruled out those that did not meet the criteria for providing an entire building. Sheila expresses concern that Mr. Caillouette added in the costs of the foundation to the bids. Shawn clarifies that Mr. Caillouette added in the costs of the site work, and that was different from the foundation. Mr. Caillouette replies that only Charter Bros. and Nutter Corp. provided for a steel roof. Mr. Caillouette notes that Charter Bros and one of the bidders providing a vinyl roof were going to use an engineering company from Hampstead. Sheila again confirms there were only two bidders that provided

quotes for steel roofs. Joshua asks if any of the bidders requiring concrete work would provide a plan. Bruce explains those bidders would work with the Town's contractor for the concrete, then come in and put their building on the concrete. Joshua asks if those bidders had given the costs of using concrete. Mr. Caillouette states, "No".

Sheila again confirms with Mr. Caillouette that the amount in the Salt Shed fund is \$295,800. Shawn notes that Charter Bros. bid was over the amount in the Capital Reserve Fund of \$295,800. Mr. Caillouette explains that it is not as it also includes the costs of the site work. He reminds the BOS that the Charter Bros. bid included concrete pilings, and they (Charter Bros) had agreed to lower their costs if those pilings could be installed by the site work contractor, reducing the total amount of the bid. Mr. Caillouette confirms for Shawn that the quote included a concrete foundation, 8'-12' wood walls and a metal roof with clear sections for light. Sheila confirms the price of \$296,425 is the cost of the Salt Shed project from start to finish. Mr. Caillouette confirms and adds that Mike Holmes bid was for the site work and an additional \$9,000 for pavement for a total of \$27,000, plus the cost of the construction of the building.

Steve states that he would like to study the bids more and make a decision at the next meeting. Shawn asks Mr. Caillouette to contact Mr. Holmes and get a price for the concrete pilings. Mr. Caillouette notes those costs would be between Mr. Holmes and Charter Bros. Mr. Holmes price was to level the pad for the building and the costs of the foundation was actually part of the building RFP. Shawn then asks Mr. Caillouette to work with Charter Bros to get a price reduction if they work with Mr. Holmes. Mr. Caillouette notes that he has already put them in contact with each other. Shawn asks Mr. Caillouette to get a revised quote from Charter Bros. Mr. Caillouette also offers to "pinpoint" Nutter's price as well. Steve asks if the Salt Shed project would be completed this year. Mr. Caillouette responds, "I hope so." Shawn notes the BOS could make a decision on the bids at the end of July and asks Mr. Caillouette to find out the timelines of the work from Mr. Holmes and the Charter Bros, noting the BOS would be looking for some kind of schedule for the project.

Kimball Terrace Update: Mr. Caillouette asks if there is any further word on the work needed on Kimball Terrace. Shawn notes the BOS has not heard from NH DOT regarding their letters. Mr. Caillouette notes that Kimball Terrace is currently dry and this would be the time to do the required repairs. He states that he has spoken to two NH DOT engineers and was told that he should hear from the main office within the next week or the beginning of the following week. Sheila notes she hopes it is on the State's "things to do" list while they are working on Rte 111-A.

Road Agent Contract Update: Shawn asks Steve regarding the previous discussion of the Road Agent Contract. Steve clarifies he requested a month and was planning to present a proposal to the BOS at the next meeting.

II. Old/New Business

Signature File: Shawn reviews a document received regarding the categorizing of State land. He notes that part of the Rock Rimmon State Forest is also part of Federal Land and the Town is paid a stipend for that land.

There are four LUCT (Land Use Change Tax) warrants to be signed

Shawn reads the Town Announcements listed below.

Minutes: The BOS reviews the July 29, 2020 BOS public minutes.

- ✚ Sheila suggests removing line #70 regarding a statement that could not be transcribed as she and no other BOS members could remember what the statement was.
- ✚ Shawn notes the need to remedy the vote on the Dog License Warrant. He motions to accept and move forward to the Police Dept. the Dog License Warrant as provided by the Town Clerk. Second by Sheila. Vote is unanimous (5-0). This vote ratifies the open motion from June 29, 2020 on July 13, 2020.
- ✚ Joshua reviews lines #253-261 regarding the discussion of the Fire Truck encumbrance and reminds the BOS he had questioned them regarding the encumbrance process, particularly noting the need for a contract in order to encumber funds. (that conversation was fully transcribed on pgs.6-7 in lines 308-321

in the June 29, 2020 draft minutes) Shawn suggests inserting “funds were encumbered by the BOS previously” after line #253. Joshua asks who is doing the work. Shawn responds he believes it is Donovan. Joshua notes he just wants to confirm there is a vendor for the encumbrance. Dottie motions to accept the public minutes of the June 29, 2020 BOS meeting as amended. Second by Sheila. Vote is unanimous (5-0).

The BOS reviews the Non-Public minutes for the June 29, 2020 BOS meeting. Shawn notes the BOS could approve and release these minutes. Sheila motions to approve and release to the public, the Non-Public minutes of the June 29, 2020 BOS meeting. Second by Joshua. Vote is unanimous. (5-0).

Steve asks Sheila how her investigation is going. Sheila states, “It’s still going”. Steve confirms the issue is being addressed. Sheila reassures him “it certainly is”. Shawn asks that Sheila keep the BOS updated on the issue.

599 Main St.: Shawn has received paperwork from Attorney Bill Gannon regarding an agreement on 599 Main St. Sheila asks if this should be discussed in a Non-Public session. Joshua confirms the document is not a draft, but is the document that will go through the court. Shawn asks for a motion to allow Attorney Bill Gannon, who represents the Town in this matter, to execute the agreement on the Town’s behalf. Joshua notes that he would like discussion on the agreement. Shawn agrees to discussion. Joshua makes the motion to allow Attorney Bill Gannon to execute the agreement on the Town’s behalf. Second by Steve.

Joshua explains that he does not fully understand the agreement. Sheila again asks if this discussion should take place in a Non-Public session. Shawn explains the agreement will be a public document. He provides a brief overview of the agreement. The Federal Government is taking over the property and executing their claims. The Court has recognized that all other parties’ claims are null and void. Joshua asks if the attorney had reviewed the agreement and recommended BOS approval. Shawn explains that Attorney Bill Gannon would not have forwarded the agreement to the BOS if he did not recommend its approval. Shawn explains that in the Town’s agreement with the DOJ (Department of Justice), the government is putting aside its claims and is requiring the IRS to release their claims on the property. The document the BOS is reviewing right now is the start of that process, releasing those IRS claims so the Town can execute the previous agreement with the DOJ, which outlines how the Town will dispose of the property, and deal with the funding. The agreement with the DOJ supersedes any current claims on record, including those by the IRS. Shawn notes the IRS claims on the property need to be released so the Town can sell the property.

Joshua clarifies that not all the claims were released at the same time as the agreement with the DOJ was signed. Shawn explains that the IRS can begin to release the liens now that they have an agreement with the Town that the Town is the rightful owner of the property, at least to the biggest claim. The agreement outlines dismissing the other claims. Shawn calls the question and moves forward on the motion to “authorize Attorney Gannon to execute this “notice of voluntary partial dismissal” document.” Vote is unanimous (5-0).

Police Officer Candidate: Chief Parsons has submitted a recommendation for a candidate for a Part-Time Police Officer. Shawn notes he has no questions for this candidate that would prevent him from voting in the affirmative. Joshua asks if the candidate is currently employed, how they would be part-time only in Danville. Shawn clarifies the candidate is a part-time police officer in another town. Joshua asks what kind of impact that would have in both communities for full-time hours. Steve explains the candidate is only certified as a part-time police officer and there is a limited number of hours they can work between both communities. They cannot exceed those certified hours. Shawn notes he will remind Chief Parsons of the importance of tracking the candidate’s hours in both communities. Steve motions to approve the recommendation. Second by Dottie. Vote is unanimous (5-0).

Trustees of the Trust Funds: Shawn explains to the BOS that this is a three-member board. He has been reminded that the Trustees are supposed to report to the BOS quarterly and would like to bring in the Trustees of the Trust Funds (ToTF) to review the NH RSA’s and funds. Shawn notes that Danville’s ToTF also oversees the Timberlane School District Trust Funds, which actually represents a vast majority of the accounts maintained by the ToTF. The effort and handling costs are proportionately billed to those accounts. Since the vote in March to leave the

Timberlane School District, Danville's ToTF are no longer handling those funds. The BOS needs to review and adjust the budget accordingly. Sheila asks how many accounts are left. Shawn notes that he does not know. Shawn explains that through the years, the laws, administrators and the paperwork of the trust funds have been passed on to the next person. Trust certificates are issued when a trust is started. These certificates define the dollar amount of the Trust, the intent of the Trust, and how the funds are to be dispersed from that Trust. Some of these trust certificates are on file at the NH Charitable Trust Division, the location of others are unknown. Shawn notes the Town is trying to work through this situation. He explains the only way to change a Trust Certificate is to petition the Court. Shawn emphasizes he is not inferring any kind of impropriety issues, but that he wants to clarify issues with various trusts and review each account for any necessary corrective measures, maintain the books, and develop a process going forwards so that nothing gets lost. This would ensure that any new Trust Funds developed would follow the process, particularly with record preservation. Shawn notes that Danville is not the only town with these issues, it is the nature of volunteerism, and he is just interested in making the process better. Shawn asks Kim to invite the three members of the Trustees of the Trust Funds to the next BOS meeting.

COVID-19 GOFERR Grant Update: Sheila informs the BOS the deadline to submit for the second round of GOFERR grants was today (7/13/20) for expenses through today (7/13/20). She submitted the Town's request for reimbursement in the amount of \$13,093.46.

Shawn expresses concern with some of the proposed hand sanitizer stands, noting they can tip over easily and should be attached to the wall. He also questions Sheila regarding the installation of Plexiglas screens for the desks in the Selectman's Office, noting he would like a BOS decision on that. He states that he feels the best approach is creating the half-doors with a Plexiglas shield. He notes that no one should be going back into the Selectman's Office and does not see a need for the Plexiglas shields on the desks. Shawn believes the BOS could have come to that decision if it moved forward. Sheila notes there are times when the public needs to enter the office to speak to someone. Shawn reiterates his opinion such business can be transacted at the door. Sheila and Shawn discuss how the door could be set up with Plexiglas up for non-public discussions.

Sheila explains to the BOS that she and Dottie had asked the employees and this is what they wanted. Shawn would advocate that any employee who wants the Plexiglas shields removed could have them removed. Dottie notes that several employees had specifically requested the Plexiglas shields. There is a brief discussion of various employees' preferences. Sheila again confirms that she and Dottie had employee input throughout the process.

COVID-19 Procedures Update: Shawn reviews the proposal Dottie submitted to the BOS. Dottie explains that each employee could complete their screenings at home and e-mail them to their supervisors. Employees should be taking their temperatures and answering the questionnaire before arriving to work. She notes it is not necessarily something that actually needs to be done at work. Joshua notes his employer does the same thing. He logs into a website, answers the questionnaire, and submits that information. He notes that anywhere he walks in the building there are cameras facing you reading your temperature. Sheila explains the proposal then moves on to the legal piece. Dottie explains that each supervisor will need to hang on to these reports. Joshua asks about the letter attached to proposal regarding meetings, etc. He wonders if the Town provides the materials for the sanitizing process. Dottie responds that yes, the Town should provide those materials and notes that she has already picked some up. Sheila notes the Community Center will be working out their own sanitizing procedures. Dottie confirms with Shawn his approval to order wall mounted hand-sanitizing stations. Sheila explains that she does not like the wall mounted stations because they are not portable should they need to be re-located. There is a short discussion of the pros and cons of both types of stations, with Shawn holding firm to his preference of the wall mounted type. He suggests that Sheila use careful consideration of where they are mounted for the best ease of access and use. Sheila expresses concerns of complaints that these are attached to an "old building's walls". Shawn notes its part of the using the building.


CARES Act: Kim has received an e-mail regarding the CARES Act. Shawn notes that it is involved and asks Kim to be the BOS liaison through the process. Sheila explains this is more involved than the GOFERR grants. She notes the Rock Rimmon group is involved. Dottie explains it is a community block grant through HUD. The Rock Rimmon group has applied for an \$800,000 grant to update their infrastructure. They have completed their process, but it

needs to come through the Town because it is federal money. She explains this is her understanding. Dottie suggests that Kim reach out to the contact provided in the e-mail for more information.

Joshua asks if this obligates the Town. Dottie explains the Town has to be part of it, but the grant would be Rock Rimmon's and would not be Town property. Joshua asks if it would be a "grant without strings". Dottie responds that she believes so, but the BOS will need to look at it closely. Shawn notes that often these grants, even if the Town is not the beneficiary of them, can incur costs by the Town that are hopefully reimbursable by the grant for addressing all the requirements of the grant. Shawn suggests that Kim have someone come in and explain the process to the BOS. Kim notes the grant is for low-income housing. Sheila and Shawn note that Rock Rimmon has made continued improvements to their property.

III. Town Announcements

Open Committee Seats:

 The Cable Committee has one opening

July 13 is National French Fry Day

There being no further items to discuss, Shawn adjourns the meeting at 8:15PM.

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

Respectfully Submitted
Deborah A. Christie