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Town of Danville
Board of Selectmen
Monday, October 12, 2020
7:00 PM

7:00 PM

Meeting is Video-Recorded

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

Others Present: Kimberly Burnham, Selectmen Administrator; Chief Wade Parsons, Police Dept.; LT Justine Merced, Police Dept.; Barry Hantman, Planning Board; Dr. Kim Farah, Trustee of the Trust Funds, American Legion; Kelly Hand, Trustee of the Trust Funds, Kathy Beattie, Trustee of the Trust Funds, Town Treasurer; Gail Turilli, ZBA; John Faro, American Legion

Shawn called the meeting to order at 7:00PM 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

Shawn asks if there are any members of the public not on the agenda who wish to address the BOS. No members of the public ask to speak.

Police Dept. Update: Chief Parsons states that the Police Dept. has purchased a replacement AED for the Community Center. The Police Association has purchased the AED through a grant and is donating it to the Town. Chief Parsons explains the Town needs to accept the donation. Steve motions to approve the donation of the AED from the Police Association. Second by Sheila. Vote is unanimous (3-0).

LT Merced states that the Police Dept has purchased five (5) new mobile laptops. The funds for this purchase came from the Town's Drug Asset Forfeiture account. Three (3) of these laptops will replace the older, outdated units now being used. They purchased two (2) additional units. LT Merced explains the Town needs to approve this purchase. Steve confirms this purchase will have no impact on the taxpayers. Steve motions to accept the purchase of five (5) mobile laptop computers with funds from the Danville Police Dept. Drug Asset Forfeiture Account. Second by Sheila. Vote is unanimous (3-0).

Paid Time Off (PTO) Update: Shawn reviews the latest version of the Police Dept. Paid Time Off (PTO) proposal that has been received from Town Counsel (Arnold, Drummond, & Woodsum). He asks Chief Parsons if he (Chief Parsons) supports Counsel's recommendations. Chief Parsons notes the proposal is different from what he expected. After looking at the proposed policy, he notes that instead of paying out unused PTO, the revised policy would carryover up to 80 hours to be used in the subsequent year. Sheila confirms the proposed policy would carry over unused PTO and not pay it out at the end of the year. Shawn suggests that there should be a choice of either carrying over 80 hrs of unused PTO or the option of having up to 80 hours paid out at the end of the year. Shawn notes his concern is to encourage people to take their vacations and he would not want to see employees not take any of their PTO and just take a payout for it at the end of the year. Chief Parsons agrees that a choice would be helpful. Shawn confirms that the payout would be for a maximum of two weeks (80 hours). Chief Parsons notes he would have to figure out how to budget in the following year for unused PTO carryover. He asks what would happen if someone wanted to split their unused PTO and take one week paid out and carryover their second week. Shawn explains that Chief Parsons would need to encumber the salary of the week being carried over. Sheila asks if the Town can encumber salary. Shawn notes that it is a benefit and a liability to be paid out.

Steve asks if unused PTO is carried over, does it become more expensive because now it would be paid for at the new salary rate. Chief Parsons confirms that backfilling shifts incurs overtime. Sheila asks how far into the following year could staff carry their unused PTO. Chief Parsons and Shawn both state it does not matter as long as it is used within that calendar year. Sheila expresses concern with the possibility of extended vacations if employees use their PTO from the previous year and their PTO from the current year. Steve reminds her that is within the employee's rights. Sheila notes it is still creating a scheduling problem. Shawn and Steve both note it does not matter as any time off will incur overtime to backfill those shifts. Shawn states that he supports what Chief Parsons is trying to do, but notes the difficulty is getting the written policy right. He feels they still have "wordsmithing" to do. Chief Parsons explains that he had discussed his initial proposal with Town Counsel and they did not seem to have a problem with that. He notes that from a budgeting aspect it is much easier knowing that staff have "x" amount of PTO per year, whether they use it or have it paid out. On December 31, all unused PTO is cleared and the calendar is reset on January 1. Chief Parsons reiterates that he would still like to see that policy if it is possible. Chief Parsons notes that Counsel asked to speak to the BOS to collect their thoughts on that policy. He notes that he is trying to make PTO easier to manage and fairer. He reminds the BOS that the Police Dept. was short-handed for a long time. The department is getting closer, but is still down a full-time officer, and these problems have been habitual. He feels it is wrong to punish his employees and believes that he should take care of them at the end of the year. Shawn states the BOS will continue to work on the PTO policy and get more verbiage. Dr. Farah notes that she believes the Town cannot encumber salaries for the following year. She explains that for auditing purposes, the Town would have to carry those funds as a long-term liability and suggests the BOS check with the auditors regarding the correct way to carry salaries over into a new fiscal year. Shawn states that he wants to be sure those funds are set aside in a dedicated account and do not become part of the general operating budget. Chief Parsons reminds him that if unused PTO was paid out at the end of the year, there would be no worries about "encumbering funds." Shawn notes that is the easiest option, but does not give an employee the choice of carrying over their unused PTO. Mr. Hantman reminds the BOS that if employees carry over unused PTO, the Town would be paying that at the increased salary rate. Shawn states the BOS will again table the proposal for further review.

IMC Issue: Shawn notes an ongoing issue with IMC and the ACO's laptop. He states he supports the Police Dept's position that they want nothing to do with the ACO, and that he understands the ACO is a separate position that is funded and accountable only to the voters. Shawn states that he sees the issue as between the ACO, IMC and Rockingham Dispatch to resolve, and should not involve the Police Dept. Sheila explains that she has worked with IMC and the issue is with the laptop updating. She notes she was told not to hit the update button, that the program would update automatically. However, when she sends her reports, they are being stopped at the local end (Police Dept.) and not getting to Rockingham Dispatch. Shawn asks her what she was doing when she did not have her laptop. Sheila explains she handwrote her reports, but they do not show up in any database. Shawn outlines IMC and states that dealing with the Police Dept. and Rockingham Dispatch is the same as dealing with the ACO. Sheila explains that it is not. Shawn states the Police Dept. should not be the ACO's IT support. Sheila explains there is certain information that has to be released for her to have access and that is the problem. Shawn disagrees and states that Rockingham Dispatch should be handling all aspects of ACO access. Sheila tries to explain that her (ACO) lack of access is due to the settings. LT Merced explains the Police Dept. does not control her settings because she is not an officer. The Police Dept. did not set anything up with Sheila's (ACO) rights of access. Nothing was set up from the Police Dept. Sheila states she has spoken to someone who understands the issue and will have him speak to the Police Dept. Shawn notes his point is "this is where it has to stop because the Police Dept. is not her (ACO) IT support." Sheila explains the way her laptop is set up, the Police Dept. is her (ACO) IT support, they are the support for the IMC laptop she has. Shawn reiterates she is dealing with IMC and the database is Rockingham Dispatch, and they are the administrators of IMC. Sheila notes that she thinks the issue is a result of the last update. LT Merced notes that one of the Police Dept. mobile laptops also had an issue with the last update and they have to take the cruiser to Rockingham Dispatch and have their administrator look at it. It is not something they can fix at the Police Dept. Mr. Hantman suggests, as it is a Town computer, to give to RMON and have them work with IMC to resolve the issue. Steve notes that Rockingham Dispatch has its' own IT department. Shawn suggests that Sheila first follow up with Rockingham Dispatch. Sheila reminds the BOS that even though the Town never accepted the ACO job description, she does follow the IMC procedures in that job description.


II. FY2021 Budgets

#4150.10- Trustees of the Trust Funds: Kelly Hand, bookkeeper for Trustees of the Trust Funds presents the budget #4150.10 for \$3449.56. Included in that total is the bookkeeper's salary for \$2741. Shawn states that since the Trustees are no longer handling the Trust funds for the school district, he had assumed that managing the remaining Trust funds would be easier. He notes there is no change in the salary to reflect that less management is required. Ms. Beattie notes that the Trustees of the Trust Funds received a separate stipend from the School Dept. to manage the school scholarships. Shawn states that he was unaware of this. Dr. Farah states that her opinion is the salary is "way beyond the work required now for the bookkeeper." Shawn agrees, but notes the work is not linear (meaning that "x" amount of fewer accounts to manage does not equal "x" amount of reduction in time/salary). Ms. Hand explains that she still reconciles statements for 80 accounts, prepares the documents and policies for the State, and maintains the account spreadsheets. Shawn reminds her that the BOS learned they are supposed to be updated on the Trust Funds quarterly. There is a short discussion regarding the updates. Shawn states that he would at least like to see the updates quarterly. Shawn states that he supports the salary line "as is", but wants to be fair knowing that the time commitment and the workload has been dramatically reduced. He states that he does not want to make that modification now, but suggests salary adjustments could be made at the Deliberative Session to be fair and respectful for all parties. Sheila suggests that the budget be tabled. Dr. Farah questions the budget line for the purchase of the software. Ms. Beattie explains that it was something that Patty used, but they do not have it and they do not know where it is. Shawn asks Ms. Hand and Ms. Beattie to look at the budget again. Ms. Beattie requests a Town laptop for Ms. Hand to use for Trustee business, rather than Ms. Hand having to use her own personal computer. Shawn asks Kim to "resurrect one" and get it to Ms. Hand.

Dr. Farah states there is a trust that is going back to the Town because it had expired and she hopes that is being looked at. Ms. Beattie explains there are several trusts expiring shortly. The one Dr. Farah is referring to was a 50-year trust. Ms. Beattie notes all the Trustees have access to this information and that a bookkeeper is a bookkeeper. Dr. Farah states that the Trustee being paid should be the one taking the initiative on that. She notes that Patty did all of the work on the trusts as part of the stipend for bookkeeping. Dr. Farah states that if that is being delegated to the rest of the Trustees, that is another reason to adjust the salary of the bookkeeper. Sheila states that she believes one person should be handling all of these transactions. Shawn states that all three (3) of the Trustees should get together and decide on how to delegate responsibilities and possibly delegating the payroll. Shawn reiterates that the Trustees need to readjust their budget and the BOS will review it at a later date.

 **#4150.10- Trustees of the Trust Funds is table for later discussion**

#4150.50- Treasury: Kathy Beattie presents the budget for #4150.50-Treasury for \$11,189. She notes that amount does not include any COLA increases as she has not been provided that information. Shawn confirms the COLA increases have not been determined yet and the BOS will adjust the budgets when it is. Ms. Beattie notes the budget includes the costs of QuickBooks as no decision has been made on how to address software changes that were made. Ms Beattie also notes there has been discussion of eliminating account lines in the budget that are no longer being used. The BOS reviews the budget as presented. Steve motions to approve the budget for #4150.50-Treasury for \$11,189. Second by Sheila. Vote is unanimous (3-0)

 **#4150.50- Treasury is approved for \$11,189**

#4191.10- Planning Board: Barry Hantman presents the #4191.10 Planning Board budget for \$3700. He notes the budget is similar to the past couple of years, but there have been changes to several line items. The "Dues and Subscriptions" line has been reduced to zero (0). Mr. Hantman explains the Planning Board has not been a member of the RPC for almost five (5) years. They have carried a sum in that line "just in case", but after all this time feel that it is no longer needed. Mr. Hantman notes there are increases in the lines for Legal Notices and Postage lines. These increases are based on year-to-date expenditures that are higher than in previous years. This is because development in town has picked up. Mr. Hantman notes these increases are offset by revenue for the same amounts and the budget impact should be \$0. Shawn notes that these costs are transferred to the applicant. Steve motions to approve the #4191.10 Planning Board budget for \$3700. Second by Sheila. Vote is unanimous (3-0).

 **#4191.10 Planning Board is approved for \$3700**

#4191.30- Zoning Board of Adjustment (ZBA): Gail Turilli presents the #4191.30 ZBA budget for \$845. She explains there have been changes made to several lines, but the total budget remains the same as FY2020. Ms. Gail notes that ZBA expenses increased because Janet Denison had continued to do the minutes until June while she (Ms. Gail) was also on staff. Shawn notes the BOS was aware of the “overlap” during that transition. Shawn also notes that the expenses budgeted for legal notices and postage will again be offset on the “revenue” side of the budget as those are billed to the applicant, so these line items are “net neutral from a tax impact viewpoint.” Steve motions to approve the #4191.30 ZBA budget for \$845. Second by Sheila. Vote is unanimous (3-0)

 **#4191.30 Zoning Board of Adjustment approved for \$845**

#4583.10- Patriotic Purposes: John Faro and Dr. Farah present the #4583.10 Patriotic Purposes budget for \$4533. Mr. John states he believes the budget is the same as the FY2020 budget. Shawn notes the FY2020 budget has not been fully expended due to COVID. Mr. John explains the largest expense in the budget is the Memorial Day parade that was cancelled in May. He asks the BOS that if another decision is made to cancel the parade to please make that decision earlier than May so he can notify parade participants sooner. He explains there were some hard feelings at the last minute cancellation and that many participants needed that decision earlier. Mr. John explains that he starts contacting participants in January to make arrangements for the Memorial Day parade.

Mr. John states that he was told some time ago that the Town pays for maintenance of the Veterans' Stone where the flagpole is, for grass cutting, trimming, etc. Shawn confirms this. Mr. John explains that he has been maintaining the Kenneth R. Day stone behind the backstop at Day Field by himself for many years. However, he is now unable to continue to do this and asks if it is possible for the Town to take over the care of that memorial as well. Shawn assures him that now that the BOS is aware of the issue, the Kenneth R. Day stone will be taken care of. Mr. John asks Dr. Farah to review the budget. She suggests the FY2021 budget be level-funded in case they can have the Memorial Day parade in 2021.

There is discussion on the purchase of American flags in FY2020. Mr. John notes the Town had also purchased new street flags this year. Shawn notes there were changes this year since the retirement of Allen Hess and questions the continued use of the fire trucks to install the street flags. Dr. Farah asks if this is something the BOS wants done every year, and does the Fire Dept. want to keep doing it? If the Fire Dept. does not want to keep installing the street flags, then the American Legion will need to hire someone with a bucket truck to do it. The BOS confirms they want the flags installed every year. Steve voices concern that the Fire Dept. does not have the proper equipment to do the installation. Dr. Farah states the Legion will need to find somebody with the skill set and equipment to do the installation, but she does not believe that will be expensive. Shawn asks how long the flags are installed. Mr. John explains the flags are installed just before Memorial Day and stay up until the weekend after Veteran's Day. He notes that sometimes the flags are caught up on the poles and need to be released before they are damaged, and they would need someone to be available to do that as well. He reminds the BOS the Town replaces damaged flags every year. Shawn notes “it's the cost of doing business” and feels the flags have the “patriotic effect they (the Town) is looking to capture.”

Mr. John refers to a previous online discussion regarding the possibility of “adopting” the flagpoles. He notes it is not a bad idea, but feels the flags need to be American flags. Mr. Hantman suggests calling Scott Wallace, State Representative for Danville, regarding the installation and removal of the street flags. He will provide Mr. Wallace's contact information to Shawn. Mr. Hantman explains that he had spoken to Mr. Wallace regarding a broken rope on the flagpole at the Community Center and Mr. Wallace was able to provide a bucket truck to repair it. Shawn notes the Town will need to find someone committed to the installation and removal of the flags. He notes this year the Fire Dept. will need to remove the flags after Veterans' Day, but would like that to be the end of the Fire Dept. commitment for the street flags. Shawn notes he would like to have someone lined up for next spring. Steve motions to approve the #4583.10- Patriotic Purposes budget for \$4533. Second by Sheila. Vote is unanimous (3-0).

 **#4583.10-Patriotic Purposes is approved for \$4533.**

#4136- Street Lighting: Shawn reviews the year-to-date costs with Kim. Kim notes the costs will be higher in October, November and December. Shawn explains this budget is based on the rates set by the utility company

and he has not received the updated costs. He notes the rates are based on each street- light and the technology of each street light. He asks the BOS to table this budget until the costs can be updated.

🚦 **#4136- Street Lighting is tabled until updated costs can be calculated.**

#4130.30- Town Meeting: Kim presents the budget for #4130.30 Town Meeting for \$2000. Kim explains the increase is in the line for printing the Town Reports. Shawn notes the FY2020 budget was for \$1800 and year-to-date expenditures are only \$1645. Sheila suggests keeping the budget level funded. Shawn disagrees noting the Town used to do a lot of this work internally, but is concerned about additional costs, noting that the process operated “like a well-oiled machine with Janet and Patty”. He believes it will take time for new staff to develop those efficiencies. Shawn explains the biggest expense is the mailers/sample ballots and that depends on the length of the document (i.e: the number of Warrant Articles). Sheila motions to approve the #4130.30 Town Meeting budget for \$2000. Second by Steve. Vote is unanimous (3-0)

🚦 **#4130.30- Town Meeting is approved for \$2000.**

#4197- Advertising and Regional Association: Shawn presents the budget for #4197- Advertising and Regional Association for \$3833. This is the Town’s fees for membership in NHMA (NH Municipal Association) that provides services through the LCG (Local Government Center). Fees are based on the number of Town residents. Steve motions to approve the budget for #4197 Advertising and Regional Association for \$3833. Second by Sheila. Vote is unanimous (3-0).

🚦 **#4197- Advertising and Regional Association is approved for \$3833.**

III. Old/New Business

TD Bank Automatic Withdrawal: Kim suggests having “Kevin” come in and discuss this option with the BOS. She explains that she and the Finance Office have been discussing the possibility of having invoices come in online; submitting them to the proper department heads, and once approved having those invoices paid directly through the bank to avoid late charges. Shawn agrees this is a more refined process and he agrees that the paperwork should be automated and electronically sent. However, he also notes that he understands Patti and Ms. Beattie’s concerns regarding allowing TD Bank access to the Town’s General Fund without authorization. Shawn states he believes the process can be looked at and revamped to make it work and asks Kim to schedule that discussion with their TD Bank representative.

Highway Dept. Update: Kim notes the only application the Town has received for the Part-Time Laborer position is the applicant that Mr. Caillouette had previously discussed with the BOS. Steve states he believes the BOS should still do their “due diligence” and complete a background check, require a physical so the Town does not end up with Workman’s Compensation liability, and determine the hours of work. Steve suggests the position be a weekly position from May to November, be strictly a snowplowing position during the winter, and from April through June, the BOS would monitor the hours depending on the workload. Shawn and Sheila agree. Shawn asks Steve to follow up on those procedures. There is discussion regarding mandating the physical. Steve asks if there is a “Town” doctor. Shawn expresses his concern that the Town has never asked that an employee have a physical and is concerned this appears to “segregate” this particular applicant, unless the BOS is willing to make that a requirement a part of the Employment Policy. Steve suggests that at some point the BOS should address it as a policy change. Steve notes that he will move forward with the background check. Shawn agrees the BOS should start the process of putting required physicals into the Town’s Employment Policy. Steve motions to hire the applicant contingent on the successful completion of a background and motor vehicle records check; and that the BOS will monitor the workload of the applicant depending on the workload from the Road Agent. Second by Sheila. Vote is unanimous (3-0).

ZBA Update: Shawn states that he submitted the recent ZBA ruling to Town Counsel and the Town will be filing a Petition of Appeal in Superior Court regarding this ruling.

Auditor Update: Shawn states that he has contacted Melanson, the Town auditing firm, and has learned that Frank Biron, the managing partner is retiring and has delegated the company’s clients to various staff members.

Shawn notes he has been trying to contact staff and will update the BOS when he has further information. He expresses concern with the lack of response from the company's staff.

Staffing the General Election: Shawn explains that Mr. Hantman (Town Moderator) has been very insistent that BOS members be present during the General Election and he understands Mr. Hantman's point. However, he also understands that BOS members have other obligations. He notes that the current process of having a BOS member scheduled to be there throughout the day has worked for many years, and that Mr. Hantman is pushing all BOS members to be there all day. Shawn expresses his personal reluctance to make that commitment. Sheila notes that it is a long day. Shawn agrees noting that time includes setting up all the paperwork, etc. before the polls open at 7:00AM, the polls themselves are open 7:00AM-8:00PM, and all the work of counting and reconciling the ballots after the polls close that often goes until Midnight. He notes the Town had honored the Warrant Article to open polls an hour early (7:00AM) and that he will do his best to be there when he can. Steve agrees and suggests increasing the election budget so Mr. Hantman can hire more poll workers. Shawn states that he does not feel that is the issue; the issue is getting people to volunteer. Shawn notes he feels the issues are the average age of the poll workers, the very long days, and the complexity involved in counting and reconciling the ballots. Shawn would encourage community members to volunteer out of "civic duty" particularly to help count the ballots. This would help people understand all the checks and balances that are in place both within the community and with the State to ensure accurate voting results. He reiterates his request that community members step forward and help with the process. The consensus of the BOS is that each member will be there as much as they can.

Minutes: Kim and Sheila note they are still working on resolving the audio issues with the September 9, 2020 BOS public meeting. The BOS agree to continue to table those minutes.

The BOS review the minutes for the October 5, 2020 BOS public meeting. There are no comments or corrections. Steve motions to approve the minutes for the October 5, 2020 BOS public meeting as presented. Second by Sheila. Vote is unanimous (3-0).


The BOS review the minutes for the October 5, 2020 BOS Non-Public session. There are no comments or corrections. Sheila motions to approve the minutes for the October 5, 2020 Non-Public session as presented. Second by Steve. Vote is unanimous (3-0).

COLA Update: Steve states that he has done his research on the COLA formula, but has not changed his mind regarding the proposed COLA salary increase. He questions if it is fair to call for a vote on the COLA increase with two members of the BOS absent. Shawn asks to table the conversation and for the BOS to be prepared to vote on the COLA increase at next week's meeting.





Shawn reads the town announcements listed below.

IV. Town Announcements

Open Committee Seats:

 Cable Committee- Selectman's Representative- 1 opening

Calendar

-  October 19- Board of Selectman's Meeting @7:00PM- Town Hall
-  October 24- Household Hazardous Waste Collection- Hampstead 9:00AM-12:00PM
-  October 24- Bulk Pick-Up
-  November 3- General Election 7:00AM-8:00PM

There being no further items to discuss, Shawn requests a Non-Public session under NH RSA 91-A 3: II(c). Roll Call vote: Shawn- yes, Steve-yes, Sheila-yes. Non-Public session is entered at 8:30PM

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

Respectfully Submitted- Deborah A. Christie