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Town of Danville
Board of Selectmen
September 9, 2020
7:00 PM @ the Community Center

7:00 PM
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, Selectmen Administrator; Eric Turer, candidate for Rockingham State Rep, District #33; Diana West, candidate for Rockingham State Rep, District #33, Cathy and Dave Smith, David Acheson, Cathy & Joe Correnti, Barry Hantman, Town Moderator, Chair of Planning Board; Chris Tracy, Town Clerk; Robert Loree, Bruce Calliouette, and two members of the public with illegible signatures,

(Important note: Due to technical issues with the audio, conversations were often muted, muffled, or drowned out by background noise. All efforts have been made to accurately reflect the content of those statements made during discussion. -Deborah A. Christie, Transcriber)

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

Primary Election Updates: Mr. Hantman gave the BOS a brief overview of the Sept. 8, 2020 Primary elections. He thanked the group of election officials, noting they were the best group he has ever had. He states they did a fantastic job on Election Day. He notes there were many new procedures and new issues. He expressed his gratitude that it was mostly uneventful. There were 667 Republican voters and 299 Democratic voters. There were 140 absentee ballots. Mr. Hantman explained there were two separate rooms, one for masked voters, and one for unmasked voters. He notes only 3% of the voters used the second room. They registered 48 new voters.

Shawn asks that Mr. Hantman inform the BOS of any needs for the General Election. Mr. Hantman states the voting machine will need to be repaired, noting that it died in the middle of the Primary Election. Mr. Hantman expressed his gratitude that Danville is one of the few towns that have a back-up voting machine, noting it was a very good purchase. Mr. Hantman also states the lights at the back of the building (Community Center) are not working and the stairs that go down to the lower parking lot are not illuminated at night. Mr. Hantman asks that these issues be addressed by the General Election, as it will be dark in November. Shawn asks Kim to follow up on those issues.

Olde Rd Update: David Acheson asked for an update on the previous discussion regarding a business on Olde Rd. Shawn refers the resident to Mr. Hantman as the Chair of the Planning Board. Shawn states the BOS did find out there are operating hours in the plan that was approved. The BOS is starting to see documentation they (the business) are operating outside of those hours. The BOS will generate a letter to send to them (the business owner). The BOS had to make sure all of the facts were in place. Mr. Hantman explains that in addition to operating hours, when the Planning Board approves a commercial plan, they also approve a specific type of business. If that type of business changes, they (the owners) are required to come back to the Planning Board. Mr. Hantman notes that he does not know the details, but is aware of allegations that the nature of the business that has been operating may not be what was brought before the Planning Board. Shawn explains the BOS office will generate a letter and review it with Mr. Hantman to ensure they have everything right and properly addressed. At that point, it will become a public document and the resident can get a copy of it. Shawn notes the BOS would like to get it done as soon as possible and speed the process up, noting the BOS likes to get things done as expeditiously as possible.

The resident then asks what type of discovery the BOS had made and did they confirm with the Planning Board the nature of the business to make sure everyone is on the same page. Shawn explains the main point the BOS is looking to address is the actual violations that currently exist. He notes the main focal point is that the business is operating outside the approved plan. Shawn states that is something the BOS can address with a cease and desist order. Shawn notes he is not familiar with the other issues, referring them to the Planning Board.

Sheila confirms with Mr. Hantman the Planning Board meeting is Thursday, Sept. 10 and the development is on the agenda. Mr. Hantman states the business is on the agenda with an amendment site plan.

The resident clarifies that the BOS is aware of the business operating outside of (approved) hours. He asks if the BOS has determined the nature of that business. Shawn explains the actual nature of the business is not being addressed; only that it is operating outside the hours of the approved plan. He states that if it is a legal business to have, the owner has every right to have that business as long as it is within the approved plan. That is something the Planning Board has to ascertain. Shawn continues to explain the BOS act as the enforcers of all the rules the Town has for zoning that get approved; and now somebody is violating those rules. Now the BOS is the agency to interrupt that and they can go all the way up to cease and desist orders. Shawn notes this is usually the first remedy. People learn they are violating "X" and address it accordingly. If a person chooses to fight the issue, there are ramifications to that and everyone who has done that has ended up in Superior Court. He notes the BOS tries not to go down that road because it costs both the Town and the owners money.

Joshua asks the resident if he knows if the owner is aware there is a problem that has come before the BOS. There is discussion among the public and the consensus is they do not know if the owner is aware the issues have been brought forward. Joshua notes the owner has not come before the BOS. Joshua would like to know the owner's position.

Mr. Hantman states that at the last Planning Board meeting, the developer was there when the issues came up, and by the conversation, he believes the developer was aware of the issues. The Planning Board did ask if the type of business they were operating was in conformance with the plan and if the hours were also in conformance with the plan. The developer stated that both were in conformance. Mr. Hantman explains that is why the Planning Board recommended that if the residents believed the developer was not conforming to the plan, to bring their concerns to the BOS.

Another resident asks how he is to "live his life" while gathering evidence against the developer. He also asks how he presents his discovery. Shawn notes that as he suggested at the previous meeting, if the business is making noise in the early morning before operating hours, to contact the Police Dept. They can come in and write a report, which is documentation the BOS can use. Shawn explains that if the resident presents that same information, it is only one side of the story, but if it is supported by Police reports, that side has more merit. The resident explains his reluctance to call the Chief with "hey Wade, people are running their trucks out here" and running an unusual business out of there. Shawn agrees that at some point it has become a truck stop. The resident agrees that is exactly what it has become. Shawn states that is something the BOS needs to address. The resident notes the trucks are all lined up starting at 4:30AM having coffee until 5:00AM. It does not fit with what the Town wants.

Joshua reiterates the Police reports would be sworn statement evidence. The BOS needs evidence. He asks if somebody could go over there, contact them and invite them to come before the BOS. If they (business) do not want to that then the BOS would confer with Mr. Hantman regarding which rules they (business) may be violating based on the evidence gathered. The BOS then can enforce it by a cease and desist.

Another resident asks if there was anywhere online that documented what was approved. Shawn explains the approved plan is recorded at Rockingham Registry of Deeds and that plan can be pulled up from there. Mr. Hantman also notes all the Planning Board minutes are online and anything said during those meetings are binding as part of that approval. Shawn notes there is a lot of data out there; it just requires searching. Joshua suggests that if the resident had an idea of when those Planning Board meetings took place they could go to the Town website and search those minutes. The resident states that they have those minutes but was looking for further information.

Another comment made by David Bonets questions the BOS regarding the statement made in a previous meeting that they (BOS) would be conducting an investigation. They question if an investigation has taken place regarding the issues that were addressed at that meeting. Shawn responds that the BOS had received confirmation of the complaints through police reports, had conferred with the Planning Board regarding the conditions of approval, and confirmed those facts. The resident then asks if anyone on the BOS had been to the site since the issues were brought up. Shawn states that he has not been there. The resident states that since that meeting he has requested a copy of the original plan that was approved. He was also able to obtain a copy of the pending amendment that will be reviewed at the Planning Board meeting on Thursday, Sept. 10. The resident states that in both plans he has found a discrepancy with the building site itself. He states that if he understands correctly, this is the BOS' area of authority: to review, assess, and potentially revoke a building permit with fines until those site corrections are made. Shawn notes he was not aware of this issue until the resident just brought it up. Shawn encourages the resident to attend the Planning Board meeting on Thursday, Sept. 10 to bring this discrepancy to their attention because it is more likely to be addressed if this developer wants to get something approved and the resident is there showing "deficiencies in his process" and that he (the owner) has a very vested interest in correcting them. The resident continues that it is his understanding from the Planning Board that it is not within their purview to base anything of what is going on at the site, because that is only enforceable by the BOS. He again asks which board has the authority. Shawn explains the Planning Board has the authority to approve a plan relative to zoning laws. After the plan is approved, the BOS is the enforcement of those zoning laws and of making sure the approved plan is followed. The resident asks what the BOS needs in order to enforce the plan. Shawn states the BOS needs a letter stating this is what the plan was approved for, with a list of observations of the deficiencies and items not following the plan. Shawn explains the resident needs to write them out so the BOS can address them item-by-item, bring them to the developer, and have them addressed. Shawn notes this is especially important now that the developer is submitting another application.

Mr. Hantman notes that in some cases the BOS has sent the Town Engineer to the site as well to assess conformance to the plan. Shawn agrees, noting he would rather send a qualified engineer. The resident assures the BOS the issue is something that can be easily observed. The approved construction right-of-way is not located where it is on the original plan or on the amendment plan. It is clearly in a different location. Shawn reiterates the importance of the resident attending the Planning Board meeting on Thursday, Sept. 10 with his evidence and notes the Planning Board should address this issue before talking about the amended plan. The resident reiterates that he is trying to establish whose authority it is to address the deficiency.

Joshua asks if the owner is usually at the site. The resident notes it is hard to determine who the owner is. He states that the owner has changed from the original purchase and as far as he knows there are no names associated with the new business that was established called "Old Dog Realty". Another resident states that it is the same owner, the principal of the Realty company is the owner's wife.

Another resident, Cathy Smith, expresses concern that at the last meeting the BOS stated they would do research. Shawn explains that the group brought their issues to the BOS' attention. The BOS took the information they had and did their due diligence. Shawn clarifies the issue brought to them was the operation of vehicles outside of the plans documented operating hours. The BOS has confirmed the truth of that issue. Now the BOS needs to look into the issue of site alteration that was just brought to their attention. Shawn again encourages the resident to not just talk to the BOS about the issue, but to provide written, specific details. The BOS can then look at each specific issue and bring the Town Engineer out there if warranted. Shawn notes the BOS is doing "research" as each issue is coming forward. Sheila notes that if the residents e-mail the information, the BOS will get it faster. The first resident apologizes, stating there was a misunderstanding that the phrase "investigation" implied a bit more than what was understood by the group. Shawn explains the BOS just cannot go out and look for problems. He notes from his perspective the BOS deals with many "fires" all the time, and if no one complains, it does not become a priority for the BOS. Shawn explains that in this case, the BOS did not know about the issues and now that they do, they are trying to do something about it.

Another resident states that they had a conversation with NH DOT and wonders if NH DOT had come to the BOS about the use of Olde Rd. Shawn notes the only communication the BOS has had with NH DOT has been in regards to Kimball Terrace.

The first resident summarizes that the group is talking about a few different things: 1) Construction is not being followed; 2) Hours of operation; 3) It is not the adhering to the business/ site plan, nature of the business as indicated on the site plan. He asks how to present this in a similar manner as "Justin", noting it is quite clear in the site plan what is approved and what is not. He asks if he should present to the BOS what he feels is going on versus what is approved. Shawn again explains the best way is to write everything up and explain the issues to the BOS point-by-point so the BOS can address each issue the same way.

Steve explains that he does not feel as a BOS member, or even as the Fire Chief that he can just start walking on that property. He notes that he has had an interaction with the owner trying to get him (Steve) to okay a building permit when the Fire Protection ordinance and himself required him (the owner) to have fire suppression sprinklers, an alarm, and a couple of other things. Steve notes he had received a call a couple of weeks ago from the owner asking "if he will talk to the building inspector, I'll get you that plan this winter when fire protection engineers are slower." Steve notes he refused. He states that he explained to the owner that he (the owner) needed to have a fire protection engineer design that system, have a meeting with him (Steve as Fire Chief), who would then approve the plan so the owner could go ahead and get the building permit. Steve notes that as far as he knows, the owner will not get the building permit. He also notes that he is upset because there is a foundation there. Steve states that he has talked to the new building inspector who told him the prior inspector had given the owner the foundation permit. Steve asked the new building inspector not to issue any building permits until the owner follows through with the Town's fire ordinances. He notes that when the project started he thought it was a truck repair shop and that he will be attending the Planning Board meeting on Thursday, Sept. 10. Steve reiterates that the owner does not have his "ducks in a row" so far and will not be getting a building permit. He explains the owner can promise "X" design, but if he (Steve, as Fire Chief) does not get a plan, once the building is built and occupied he will have no recourse.

A resident clarifies the owner does have a foundation permit, but does not have a building permit and confirms the previous building inspector approved the foundation permit. Steve reiterates the owner was pleading with him for the building permit because the building was being delivered and the owner wanted to get it erected. Steve again notes he refused until the fire protection plan is completed.

Signage Issue: A resident, Cathy Clayton questions the BOS regarding the new housing development on the "main artery". She expresses concern of what kinds of ordinances exist for new homes/residences regarding having signs outside their homes or alongside the road. She also asks what the large and small sign ordinances are for businesses, and what kind of content is acceptable. The resident details her concern is particularly in a new housing development on Long Pond Rd where a new sign has been erected near the road. She notes the sign is very colorful, very large, and is concerned its location is very distracting. The resident also refers to a traffic sign on Colby Rd. that designates the road as winding. The resident expresses her concern with safety, noting that drivers may be trying to read the large colorful sign while trying to navigate the corners. She also is concerned this sign is too close to the side of the road and the corners. Shawn explains that sign regulations are part of the zoning laws. The resident asks who gave sign owners' permission. Shawn again explains that if the owners are following the zoning ordinances appropriately, they can put up their signs. The resident continues to complain that the new development along the "main artery" represents the Town and she does not feel that is the proper location for a billboard sign with many lines, letters, and colors and that it is very distracting. She states that she is asking :1) if the owner's received permission to put that sign up and who gave them permission and 2) what are the regulations for signs from corner to corner. Shawn again explains all that those issues are dictated by the zoning laws.

Mr. Hantman further explains that zoning ordinances do have size limitations depending on each zone. He notes that he believes the sign in question is in a residential zone, which allows smaller signs. He notes that content is not covered in the ordinances. In addition, the ordinances have exceptions for political signs as those are governed by Federal and State laws. Shawn suggests the resident get pictures of the sign and gets the sign's measurements. The

resident continues to express her concern that the sign is distracting and creating a safety issue as drivers come around the corners. She also expresses concern that if everyone in the new houses are allowed to put out such a sign, it would look like "billboard alley". Shawn again asks the resident to express her concerns with pictures in a written letter or e-mail to the BOS.

Joshua asks about the nature of the sign. The resident reads from her picture of the sign from her cell phone. Shawn stops the discussion noting the limitations of the Delegate Session and reiterates the resident needs to e-mail the BOS with all the information for the sign and the BOS will look into it. He explains the BOS cannot ascertain right now if the sign is violating any ordinances. The resident states that because of the location of the sign, she cannot determine who the owner is, and that the location makes it appear that the Town put the sign there. Shawn notes it is a different issue if the sign is on Town land. He again responds that the BOS cannot act on the issue until they get all the information and that he has allowed the resident ample time to talk about her concerns.

State Representative Candidates: Diana West introduces herself as the Democratic State Representative candidate for Rockingham District #33. She states she has stopped by to introduce herself and that she feels it is her duty to figure out what Danville is all about and what the Town needs. She also wants to know how she can help so that when she is elected she can go to the State House and try to help. Ms. West reiterates her desire to help and asks that the BOS feel free to contact her.

Eric Turer also introduces himself as the candidate for the other State Representative seat for Rockingham District #33. He states he feels that State Representatives should be partnered with the Town's elected officials. He states that a lot of the work that goes on in Concord has significant impact on the way Towns' finances work, and the way the Towns' preparations work. Mr. Turer gives a brief overview of his qualifications and his contact information.

II. Old/New Business

Election Grant: Chris Tracy, the Town Clerk provides copies of the grant request to the BOS. She notes there is a typo error for grant and the corrected amount of the grant request is \$10,329. Ms. Tracy explains this grant is from the Secretary of State's office and the CARES Act and they are working with Berry Dunn and all the town clerks to apply for the grant. The grant has to do with the additional costs associated with the increased demand for absentee ballots. Ms. Tracy explains the deadline for the grant was a couple of weeks ago and that she did have all the paperwork in and this was the last piece. She explains that she did receive an extension because she could not meet with the BOS until tonight (9/09/20). She notes that she does need a copy signed tonight to submit tomorrow (9/10/20). Sheila asks if this is above and beyond the GOEFFER Grant. Ms. Tracy responds this is a completely different grant. Dottie motions to approve the grant application. Second by Sheila. Steve asks if this grant is a "sub grant". Ms. Tracy explains that yes, it is part of a larger grant. Vote is unanimous (5-0). The BOS signs the document. Kim will give the original to Ms. Tracy tomorrow after making copies for the BOS files.

Police Department Overtime Policy Change: The BOS reviews the proposed policy change. Shawn comments the proposal is more complicated than anticipated. He notes that he thinks that they (Police Dept.) wanted to integrate it with existing policy rather than having it as a stand-alone policy. Shawn suggests it get legal attention. Sheila states that when the policy was first brought to the BOS, the situation with the Police Dept. was different. She notes they were short-staffed but have since hired a full-time and a part-time officer. Shawn notes that would address the issue of it being activated or non-activated. Shawn states he thinks the policy in it's entirety should be looked at and updated. He notes it might not be exercised this year because they can cover it, but the problem is if something happens again, it will present the same issue. Shawn states the spirit of taking time off particularly if there is an issue that could cause this kind of problem, it is different carrying over several week of paid time off and the BOS would look at it on a case-by-case basis. He will ask to have Legal Counsel look at the proposed policy and should be told that they need to format this policy into the confines of the original first draft and address any other questions that should be addressed that were being prepared by Legal which was getting more complex. Shawn receives the consensus of the BOS on this issue.

Minutes: The BOS reviews the minutes for the August 31, 2020 public BOS meeting (Annual meeting at the Old Meeting House). Dottie motions to accept the minutes for the August 31, 2020 BOS public meeting with updates to the highlighted sections. Second by Joshua. Vote is unanimous (5-0).

The BOS review the minutes for the August 24, 2020 public BOS meeting. The following amendments were made:

- ✚ Line #199- Joshua states his question was "if the business property has frontage on Main St." He also clarifies that he asked the question to see if the business owner could get a driveway permit from the State.
- ✚ Line #361- corrected to "fire apparatus"
- ✚ Line #443- Mr. Boling confirms he will be on the agenda for September 9, 2020
- ✚ Line #463- refers to Chris Tracy, Town Clerk
- ✚ Additional amendments/corrections may have been made but were not audible in the video.

Steve motions to accept the minutes for the August 24, 2020 public BOS meeting as amended. Second by Dottie. Vote is unanimous (5-0).

The BOS reviews the minutes for the August 24, 2020 Non-Public BOS meeting. Dottie motions to accept them as written. Second by Sheila. Vote is unanimous (5-0).

The BOS reviews the minutes for the August 31, 2020 Non-Public BOS meeting. Joshua motions to accept them as presented. Second by Sheila. Vote is unanimous (5-0).

Town Announcement Updates: Shawn reads the Town Announcements listed on the Agenda. Mr. Hantman explains the Cable Committee opening, noting that the Committee deals with the Cable franchise and are currently working on updating technology, noting the recent installation of new screens and projectors in the Community Center and the Town Hall. He advises the BOS that at this time there is not much going on and that meetings have been mostly quarterly.

Kim states that she was informed there is also an opening on the Conservation Commission for a BOS representative. Shawn explains there is no statutory requirement to have a BOS representative on some of the boards and that participation with these boards varies with BOS membership. Shawn refers to Joshua who notes that he was on the Forestry Committee. Joshua states that he had talked to Carsten Springer who had suggested that he (Joshua) be the BOS representative to the Conservation Commission. There is discussion of how the BOS designates their representatives. Shawn outlines which boards require BOS representatives under NH RSA. These include the Planning Board, Budget Committee, and the Heritage Commission. Only one BOS representative is required and allowed for each board.

Shawn explains to Joshua that he can either be a non-voting member of the Conservation Commission as an observer (i.e. as the BOS representative), or he can be appointed as a full member of the Conservation Commission with full voting rights. Joshua notes that he would prefer to be a full member of the Conservation Commission. Shawn then explains that Joshua will need to attend a meeting of the Conservation Commission, fill out the appropriate paperwork, and be recommended for membership by the Conservation Commission. That recommendation is then submitted for BOS approval.

New Olde Rd. Issue: A unknown male asks the BOS for information regarding activity at the far end of Olde Rd. (Different area than from the previous discussion). He states that he has spoken to the owner who said that his father handed it down to him; noting the owner has put a road in there. Sheila states that as of last week, the owner did not request a driveway permit. Mr. Hantman states that nothing has come before the Planning Board yet. No plan has been submitted, nothing has been reviewed by the Planning Board and nothing has been approved by the Planning Board. There is a brief discussion of public and board members. Shawn asks if the owner has constructed anything. The unknown male confirms that nothing has been constructed, just that a road has been put in with gravel and dirt. Mr. Hantman notes that he has observed there has been some clearing in that area as well. The unknown male confirms that dump trucks have been going down there.

The BOS discusses if this person needs a permit. Steve states he believes the owner is building a road with an assortment of materials. He notes that he has visited down there and there is a mailbox. He notes the owner had come to the Fire Department to get a street address. Mr. Hantman explains that depending on what the owner is actually doing, and if it is close to or is actually impacting wetlands, the owner may or may not need a permit. Shawn notes that just bringing in fill or cutting down trees on one's own property would not require a permit. There is further discussion between the BOS and the unknown male.

Joshua explains to the unknown male that if an owner is cutting a certain amount of trees they need to file an "intent to cut" with the State. That amount is based on the total amount of "stumpage" and taxes are paid on the trees that are cut. Shawn further explains that "intent to cut" is a means for the State to tax the trees. They are considered an "asset" and this allows them to be taxed appropriately. Joshua notes he believes an owner can cut up to five (5) cords worth of trees without a permit.

Shawn explains that if the owner is just trying to make a trail into his property, such that when he does get ready to do his operation...that would seem like it would be fair and aboveboard to have that. He notes that not knowing these things, there are concerns. The unknown male explains he wants to know how far he (the owner) can go, noting that does this mean he can put in a second driveway at his house.

Mr. Caillouette states that to the best of his knowledge, there is a right-of-way between those two properties that goes with the property in question. He notes there are two (2) ways to get to that property: one way is off Lake Rd. and the second is the right-of-way to that 35-acre piece. Mr. Caillouette states that he does not know how wide that right-of-way is.

Sheila states that she believes it is a driveway. Mr. Caillouette reiterates it's a right-of-way to that property. Shawn notes that information would be reflected in the deeds and so forth to get access. There is more discussion from the unknown male regarding permits. Shawn notes he does not believe the act of just cutting some trees or maintaining a trail would require permitting. Sheila states that the person she spoke to complained that the owner was bringing in fill and coming out empty. The unknown male notes it looks like just dirt, gravel, and stuff to maintain a road. He states he was just curious if the owner was constructing a business in there and what would it happen to be. Joshua explains the owner would need to go before the Planning Board, but that depends on what the owner is actually doing. Joshua reiterates that if the owner is not building anything or impacting wetlands, the owner is fine, as long as he is not breaking timber tax rules. The unknown male states he just wants to see the community would sign a petition drawn not to have a trucking company down there. There is discussion regarding the early morning operation of trucks. The unknown male believes the Town has all required documents in place to begin with and people are taking it too far before anything is even happening out there. There is discussion regarding the configuration and traffic on Olde Rd.

Sheila asks Shawn if there is any way to get the building inspector down there to see what is going on. Joshua notes it is the same problem as was addressed at the start of the meeting; the BOS needs evidence that something, a violation has taken place. He continues that evidence has to be in the form of a police report, sworn statement, or something that is going to encumber the person who is making the statement, so if that person is making false statements they can be held accountable for that. Joshua explains to the unknown male that the BOS needs proof of a violation before they can go out there. The unknown male states that he feels his neighbors just want to know what is going on back there and do not want to hinder the business. Shawn points out they could be getting worked up over nothing. The unknown male states the residents just do not want a business with a third shift and they do not want the road destroyed. He notes the road is supposed to be a dead-end street and there are many children on it. He continues that people buy there because they can know what cars belong on the road, they live on that road for a reason- safety and their concern is it is going to be turned upside down.

Sheila states she feels the BOS should still write a letter to the owner regarding the driveway. Shawn states that Mr. Smith has just presented this issue to the BOS tonight and basically it is that the owner is bringing in fill and has cut down some trees. Shawn states he does not believe "that warrants some kind of posse coming out." Sheila disagrees, stating the owner put in a driveway and it was brought to the BOS' attention. Sheila notes she did check

with Gail and Mr. Hantman and made sure nothing was filed with Zoning or the Planning Board. Joshua asks if anyone in the neighborhood has talked to the owner. Mr. Smith states that he had talked to him and the owner said he was putting in a small excavation business, but notes that people say things all the time and all of a sudden the noise startle them even in the early AM. Sheila asks to call the discussion.

Highway Dept. Update: Mr. Caillouette submits the paperwork for the annual MS4 report to the BOS. Shawn requests a motion to “authorize the BOS Chair to sign the Annual Report for MS4 General Permit, reporting period for July 1, 2019 – June 30, 2020”. Dottie makes the requested motion. Second by Sheila. Vote is unanimous (5-0).

Salt Shed Update: Mr. Caillouette provides three color samples for the siding and shingle color samples for the new Salt Shed. He notes his preference for the “pewter” siding and the “charcoal” shingles as they would be neutral and blend in with the site area. The BOS agrees to those color choices. Mr. Caillouette asks Shawn to sign the work order for those colors. Sheila asks how long the warranty is on the roof. Mr. Caillouette notes it is a heavier 26-gauge shingle and has a 25-year warranty.

Steve states that he had talked to Brian Charters who had mentioned that with the project needing final BOS approvals, there is going to be times when a quick decision will have to be made for certain things. If these issues occur between meetings, Brian Charters was wondering if the BOS could designate a contact person to work with Mr. Caillouette to get those decisions made. The BOS thanks him for volunteering. Steve notes that he made such a decision today to protect the Town. He notes that he and Mr. Caillouette had previously discussed the issue of needing engineering for soil compaction and soil type, so he went ahead and hired a soil scientist for \$1500. He notes beyond that he was also hiring an expert to test the concrete to make sure the concrete and rebar are up to specs. Steve compares this to having a “clerk of the works”. The cost of this expert is \$3000. Mr. Caillouette had stated that he could absorb those costs in his Highway budget. In order to expedite these items, Steve states he told Mr. Caillouette to move forward because by getting engineers it will ensure that they (the Town) will get the best product and will protect the Town. Shawn agrees that when something like this is going on, the Town needs someone on site that can easily be contacted to make a decision if something happens.

Mr. Caillouette notes the contractor is going to start digging on Tuesday and wants an engineer there. Shawn motions to ask Vice-Chair Steve Woitkun to be the point of contact for our Salt Shed issues on the BOS. Second by Sheila. Shawn asks if there is further discussion. Steve explains his how his role will work. Sheila confirms with Mr. Caillouette the size of the Salt Shed (70x60). She asks if the Highway Dept will be able to back their trucks into the building. Mr. Caillouette states they can because there will be a 21’ ceiling. He explains the salt deliveries will be pushed in as far as possible. He notes that he is planning to purchase 400-500 tons so that he will not have to order a load of salt for every storm and will have a reserve on hand. There is discussion on the specifics of the building’s construction, including the concrete walls of twelve feet (12’) and the epoxy treatment of the concrete walls. Sheila asks if there will be a plywood barrier between the concrete and the salt. Mr. Caillouette notes there was not money budgeted for that. Steve suggests that Mr. Caillouette try to keep the piles away from the sidewalls of the building to maintain the longevity of the epoxy coating. He also suggests the in future years that Mr. Caillouette budget for plywood barriers between the salt and the sidewalls, noting the BOS does not want to add to the costs of the building now.

Paving: Mr. Caillouette reminded the BOS that he had previously discussed piggybacking on Hampstead’s paving of Hampstead Rd. to finish the Danville side. He has received a quote from their contractor for \$58,000 to do the Danville section of the road. This includes a 2-way, (inaudible). They will shim it first to a depth of 1”-1.5. This will prevent “seams”. Mr. Caillouette states that he spoke with the contractor that usually does the Town’s paving and he stated this price is in line. Shawn asks for a written quote and asks Mr. Caillouette how the Town will be billed. Mr. Caillouette will contact the contractor for the paperwork.

Kimball Terrace: The BOS has received a letter from NH DOT stating that because of the “cut out” for Kimball Terrace, the repairs are the Town’s responsibility. The State also stated they wanted a full set of engineered plans. Mr. Caillouette notes that Dennis Quintal (Town Engineer) had already given him a plan that he submitted to the State and it was rejected. He is asking the BOS for permission to ask Mr. Quintal to move forward with a more

complete set of plans. Shawn notes the letter was pretty rude and expresses his concern that the State is refusing to assist with the project, but now wants to get involved with it. Shawn states he does not believe the State should be involved. Mr. Caillouette notes that Mr. Quintal's original plan did not include a wetlands permit. Now the State wants "full-flow" drainage and a wetlands permit. Mr. Quintal is already negotiating with the State engineers. Mr. Caillouette asks the BOS to allow him (Mr. Quintal) to continue so that he can pull the permits. Mr. Caillouette notes that process is beyond him at this time. He reiterates the Town will need to have those permits through the State, as well as an excavation permit, in order to do the work, and he really wants to finish this project by winter.

Highway Dept. Truck Update: Mr. Caillouette explains that he feels there was a misunderstanding regarding the BOS' recent vote to purchase previously discussed trucks. He notes that he was interested in purchasing two (2) NH DOT surplus trucks and Mr. Roy's truck for a total of three (3) 6-wheel dump trucks. He notes that Steve put the motion forward for only one (1) NH DOT surplus truck and Mr. Roy's truck, reducing the purchase to just two large trucks. Mr. Caillouette states that he needs all three (3) trucks. Sheila questions if the money is in the Highway Dept budget, noting the upcoming projects: \$58,000 for paving, Kimball Terrace, and the Salt Shed. She believes they (the Highway Dept.) have many things in the fire. Shawn clarifies the Salt Shed is a separate expenditure. Sheila responds there are extra expenses that are coming from the Highway Dept. budget. Steve and Mr. Caillouette review the budget. Sheila reiterates her understanding from the Aug. 24 meeting that the BOS voted to purchase Mr. Roy's truck, only one (1) NH DOT surplus truck, and no pick-up truck. Shawn explains that he first thought Mr. Caillouette was only buying a total of two (2) trucks and by buying Mr. Roy's truck would then only need one (1) of the State trucks. Mr. Caillouette reiterates that he really needs all three (3) trucks. Sheila asks him why as he only has two (2) drivers. Mr. Caillouette states that he has drivers for the other trucks. He explains he does not know if Mr. Roy will be here (for the winter) and that is one (1) truck. One of his (Mr. Caillouette's) trucks is gone. The town needs another four (4) 6-wheel dump trucks with plows and wings. Sheila notes the Town has used contractors in the past. Mr. Caillouette notes that he cannot get them. Sheila states that Mr. Caillouette should not be replacing trucks because he is not using his own. Mr. Caillouette states this is what the Town wants. Shawn notes the Town has to have trucks because we are trying to purchase town owned equipment. Sheila agrees but we did not need to replace with two trucks. Mr. Caillouette explains the Town of Raymond just put out on their municipal website that they are looking for plow truck drivers ranging from pick-ups to 6-wheelers. He notes that NH DOT is also crying for trucks. Steve agrees. Mr. Caillouette states he can get by with only three (3) trucks. Sheila states that he did it before with just three (3) trucks. Mr. Caillouette agrees but notes the Town had fewer roads then. Sheila notes the Town only has thirty-seven (37) miles of road. Shawn asks Sheila what her point is. Sheila states that she does not believe the Town should buy three (3) trucks.

Steve asks Mr. Caillouette about the two (2) NH DOT surplus trucks. Mr. Caillouette states that they are identical. Sheila comments that they cannot be identical because they have two different prices. Steve explains the price is based on each truck's condition. Mr. Caillouette notes that one of the trucks has more mileage. Steve suggests that if Mr. Caillouette purchased all three (3) trucks, he could keep one of them in the yard as a reserve truck if anything happened to the ones he was using. He states that in his mind for \$10,000 buy the two (2) State trucks and Mr. Roy's truck. Mr. Caillouette explains that Mark Roy would be driving his truck, he (Mr. Caillouette) would drive one of the State trucks, if Mr. Roy is still with the Highway Dept, he would drive a truck, and if he (Mr. Caillouette) can hire the other employee, he would also drive a truck. That would put four (4) trucks on the road for winter.

Sheila reviews the e-mail outlining the purchase of the NH DOT surplus trucks. The e-mail states that if the Town purchases all three trucks as a package (the original plan considered a pick-up truck as well), the price would stay as individual prices, \$11,500 for a truck with 187,010 miles and \$12,500 for a second truck with 150,422 miles. Both trucks are 2001. Mr. Caillouette notes that he looked at trucks from 2003-2005 but they were in worse condition than the older trucks. He also explains that the truck he just retired had 500,000 miles on it and he got fifteen (15) years out of it. Dottie comments that it seems like mileage the is very high for the model year. Dottie questions motor vehicle wear and tear v dump truck mileage wear and tear. Steve agrees and explains that Mr. Caillouette can expect to get 300,000 miles out of it. Sheila reads the engine hours from the e-mail. Truck #1 has 11,329 hours; truck #2 has 9,245 hours. She asks Mr. Caillouette about the trucks needing tires. Mr. Caillouette explains how he would move the tires around, picking the best of them and then purchase any tires that needed replacing. He notes that he is assuming he would need to purchase six (6) new tires. Shawn asks Mr. Caillouette how often the tires have

to be replaced. Mr. Caillouette notes he replaced the tires on his truck only once in fifteen (15) years. He explains that when plowing, the trucks do about 2000 miles a year, but it is all on snow. He does note that he will be using these trucks a bit more in the summertime. He estimates that he can easily get six (6) years out of the tires. Sheila asks if the purchase of the trucks can be offset when the encumbered funds expire. Shawn explains that money goes back to the taxpayer. He notes that he has no problem getting the second State truck from the state. Steve motions to have Mr. Caillouette purchase the two (2) large trucks from the State and Mr. Roy's truck for a total of three (3) large trucks. He asks Shawn's opinion regarding the pick-up. Joshua asks about seeing a vendor warrant for \$10,000. Sheila explains that was for Mr. Roy's truck and they do not need it. Joshua seconds Steve's motion. Vote is 4 yes, 1 no. (4-1) Sheila votes no on the motion. Motion passes.

Mr. Caillouette asks Kim about getting a check for the State from a previous warrant. Sheila asks what the prices were on that warrant. Mr. Caillouette states they were the same prices. Shawn asks Kim to have Patti generate the warrant and he will come in and sign it tomorrow so Mr. Caillouette can have the check to purchase the State trucks.

Shawn expresses concern regarding the planned Non-Public session for tonight's meeting in the Community Center and asks Mr. Caillouette if he would mind postponing his Non-Public session with the BOS until Monday 9/14/20. Shawn explains the whole meeting on 9/14/20 will be a Non-Public session. Steve asks if the BOS can give Mr. Caillouette a copy of the new Road Agent agreement for review. Shawn suggests that Steve and Mr. Caillouette meet and go over the document. Sheila questions Mr. Caillouette regarding an issue with outstanding paperwork. Mr. Caillouette states that issue will be resolved on Friday. He explains the situation to the BOS. Sheila confirms the letter Mr. Caillouette received still stands until Friday. Mr. Caillouette agrees. Steve confirms with Mr. Caillouette that everything is in place for the Salt Shed. Mr. Caillouette states everything is all set and the building inspector had already been out to the site.

III. Town Announcements

Open Committee Seats:

✚ Cable Committee- Selectmen's Representative- 1 opening.

Calendar:

✚ September 14- Board of Selectmen's meeting at 7:00PM

✚ October 24- Bulk pick-up

✚ November 3- General Election

There being no further items to discuss, Shawn requests a Non-Public session under NH RSA 91-A3: II (a) and NH RSA 91-A3: II (d). Joshua motions to enter Non-Public session as requested. Second by Dottie. Roll Call vote: Shawn- yes, Steve- yes, Dottie- yes, Sheila- yes, Joshua- yes. Non-Public session is entered at 9:00PM.

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

Respectfully Submitted
Deborah A. Christie