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Town of Danville  
Board of Selectmen  
MINUTES  
September 7, 2010  
6:30 PM

Selectmen Present: Shawn O'Neil – Chairman, Vice-chair Russ Pouliot, Chris Giordano, Annemarie Inman

Others Present: Patricia Shogren – Selectmen's Clerk, Kimberly Burnham, Charles Lucas, Fred Smith, Bruce Caillouette, Beth Caillouette, Karen Snow

Chairman O'Neil asked for a motion to proceed to non-public session under RSA 91-A: 3 (d). Vice-chair Pouliot brought discussion to the floor to determine if the subject warranted an non-public session. Following discussion it was decided that the meeting would continue in public session and the doors were opened.

Charles Lucas inquired about property located in Cotton Farm that currently had a tax lien against it and asked if the Board intended to exercise their right and take this property for taxes. Kim stated the tax lien on the property was \$7022.00. Charlie stated that if the Town intended to take this property for taxes and would get the title, he was interested in purchasing the property. He stated the property in question was abandoned and his intention was to raze the existing structure and put a new manufactured home on the Cotton Farm land. Chairman O'Neil stated there was considerable cost to the Town to take a property, costs including 15% penalty, public notices, insurance, and auction costs as well as the time element of a 90-day intent. Kim stated that the property currently had a mortgage and two UCC's attached to it. Vice-chair Pouliot asked Charlie if he had something from the mortgage holder releasing the property to him. It would not be in Cotton Farm's best interest to pay the taxes and still not own the property to dispose of. He suggested Charlie contact the mortgage company, get in writing their absolution of the property, then Charlie would be free to discuss options for obtaining the property from the Town. Selectman Giordano stated that this would be the way for Charlie to proceed. Town Assessor Fred Smith stated the property, as is, was basically a large garden shed. He stated a complete re-hab of the building would be needed to make it habitable. Kim stated that Charlie should file a lien against the property for the unpaid park rent then get in line with the mortgage company and the two UCCs. Following further discussion Charlie stated he would go to the mortgage company to obtain title to the property.

I. Delegate Session: None came forward

II. Fred Smith, Town Assessor: Fred stated the Town's Equalization rate was high. He stated that he would like to withdraw his previous recommendation to adjust manufactured housing and land before the submission of the MS-1. He suggested it would be better to address the Town as a whole during next year's Town re-evaluation. He stated that the 2010 sales were skewed with foreclosures and manufactured housing sales were above assessed value, below assessed value, and equivalent to assessed value, much different than the 2009 figures he had originally used to formulate his recommendation. Assessment changes to a small segment of the community at this time would not be fair to the entire community and any changes made now should have some benefit to all community taxpayers, not a select few. Although our Equalization rate is high and out-of-whack, we are uniformly out-of-whack across the Town. He stated to be prepared for a number of abatement requests for 2010. Fred stated that the peak of the market has passed and market values are dropping. There were only 100 sales in Danville in 2010 of which 70 were foreclosures so there are only 30 Town property sales to use to judge this trend. Fred stated that adjustments at this time needed to be fair to all property owners and adjusting one or two segment now will not do this. He withdrew his original recommendation to the Board and recommended that all adjustments be made next year during reassessment.

Fred stated there was a second issue he needed to address with the Board. Several properties had a change of use out of Current Use. During assessment and determining penalties, Fred stated he used the assessed value instead of the market value when determining the penalties and this was in error resulting in the Town overcharging for penalties. The Board agreed these fees needed to be returned to the affected parties and asked Patty to work with

Fred to determine exact costs and issue refund checks. The Board thanked Fred for his time and research into performing 2010 adjustments.

III. 7:15 PM Public Hearing – Mailbox Regulation #8: The motion was made by Vice-chair Pouliot, seconded by Selectman Inman to open the Public Hearing on Mailbox Regulation #8. Motion passed unanimously. Chairman O’Neil read the amended Mailbox Regulation #8 and asked if there were any questions or discussion from the floor. There was none. Selectman Giordano made the motion to close the Public Hearing, seconded by Selectman Inman. Motion passed unanimously. Selectman Giordano made the motion to approve the amendment to Mailbox Regulation #8, seconded by Selectman Inman. Motion passed unanimously. The Regulation was signed.

IV. Karen Snow; Town Audit: Karen reviewed the 2009 Town Audit for the MS-5. She stated everything looked good and there were no exceptions. The fund balance went up \$30,000 from last year and the Town used \$78,000 to offset the 2008 tax rate. All revenue and expenses were in line. Revenues were short for 2009 but expenses were also down. The only over-expenditure was the expense for snow and ice but this was expected after the winter experienced. She stated the Town was doing a good job. Chairman O’Neil asked Karen if she would review Melanson’s suggestions for the Town.

**TTF** - Karen proceeded stating she was not sure if the TTF understood that since accounts were held with HDIP, they did not need to file a MS-10 with the State. She asked because there was copy of the 2009 MS-10 with the documentation provided to her during her audit but the form was identical to the 2008 filed paperwork except that the date had been changed. Patty stated she would contact Elaine to pass this on to her.

**Abatements** – Forms in 2009 had figures crossed out and rewritten. It was difficult to tell if this was done before or after the Board had signed them. In the future, please make sure all signed documents have no cross outs and if something needs to be changed, a new abatement request needs to be written with the updated/corrected figures and presented to the Board again for signature. Karen suggested the Town should develop a numbering system for all abatements received; suggested using the tax year then numbering consecutively.

**Welfare Liens** – there is no back up information from Doreen. There really needs to be a trail from start to finish, showing clear documentation of all transactions.

**Procurement Policy** - Karen stated Donna Sullivan had provided her with a Purchase/Bid Policy dated 6-22-06 and asked if the Board was micro-managing this policy. After discussion, the Board stated that although Dave Knight spearheaded the writing of such a policy, it was never completed and decided to be too unwieldy to manage and the decision had been made to continue without one. Patty confirmed there was no such policy in the Town Policies, Regulations, or Ordinance in effect. Karen stated she would email the document she had to Patty.

Karen stated she contacted Jeanne Samms and explained the tardiness of Danville’s MS-5 submission. After review of the MS-5, Selectman signed the document and instructed Patty to forward to DRA.

V. Signature File: Selectmen signed Cemetery deeds leaving one that did not have a Section or Lot number unsigned. The Selectmen signed the letter to inform DRA that Danville did not use the PA-28. Selectmen reviewed and the motion was made by Vice-chair Pouliot, seconded by Selectman Giordano authorizing Chairman O’Neil to sign the DOT approved change orders for Busby Construction on the Sandown Bridge Project. The motion passed unanimously. Selectmen reviewed correspondence asking about Danville’s Solid Waste Management Plan. The Board instructed Patty to contact Waste Management to discuss whether or not their contract addressed this. The Board discussed the SAU correspondence regarding impact fees and it was decided to postpone this discussion and talk to the Town Treasurer, Betsy Sanders, before making any decisions. Vice-chair Pouliot stated that we have put a fair amount into this over the past year and one-half.

VI. Approval of Minutes: Selectman Giordano made the motion, seconded by Selectman Inman, to accept the Minutes of August 21, 2010, as written and submitted. Motion passed unanimously.

VII. New Business: Chairman O’Neil thanked all participants who worked and succeeded into making the 250<sup>th</sup> Celebration a wonderful event. He read the events varied winners followed by reading the announcements. He stated he would like to see the Town continue with an annual event and asked Patty to talk to the group about a committee to oversee this planning.

Patty presented three separate costs for communication services to the Board and after review and discussion, it was decided to stay with the Town’s current carrier, One Communications.

Selectman Giordano brought up the file that was found that addressed Junk Cars which Vice-chair Pouliot stated had been done in the Town previously. The Selectmen discussed the RSA cited and the merits of #'s 112 and #114. Selectman Giordano suggested that 112 be cited, the definition, in our letter when that stage is reached.

Selectman Giordano stated that the Planning Board, in discussion and decisions regarding the CCRC that is currently before the Planning Board, would like a substitute ex-officio in place of Selectman Giordano. Selectman Giordano will be abstaining from any decision making and voting where the CCRC is concerned. Selectman Giordano will retain his seat on the Planning Board for all other issues. Chairman O'Neil made the motion, seconded by Selectman Giordano, to appoint Vice-chair Pouliot as ex-officio to the Planning Board for all matters that concern discussion or voting on the proposed CCRC. Motion passed with 3 votes. Vice-Chair Pouliot abstained.

Selectman Giordano stated that 72 Johnson Road was back in business. Vice-chair Pouliot stated this was in direct violation of a court order. It was decided that Patty would contact Peter Loughlin for his suggestion on how to proceed.

Selectman Giordano asked the Board for their input on what is the Board's intent in developing a Temporary Storage Regulation/Ordinance and for a definition of Temporary. The Board discussed tax purposes of storage buildings, defining these units, accessory units, monthly rental units, purchasing of former rental units, box trucks and vans used for storage, and placement on property of these units. Vice-chair Pouliot stated that insurance companies, when rebuilding after a fire, give home owners 6-8 months to complete work. It was decided that Temporary Storage units should be removed after six months and if used as permanent structures, they must meet setbacks and will become taxable structures. It was also mentioned that signage on units that are now permanent structures must be removed. It was decided that any unit used for storage not built as a permanent structure was considered temporary storage container.

Selectman Giordano read Article 12-J in regard to the Antenna located at the Rte 111 Storage facility stating that an annual inspection of an antenna in use is needed and a quarterly inspection if the antenna is abandoned. Patty was instructed to contact the owners and request the annual inspection.

At 8:45PM Selectman Pouliot made the motion to adjourn.

Respectfully submitted,

Patricia G. Shogren  
Selectmen's Clerk