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Town of Danville  
Board of Selectmen  
January 24, 2011  
7:00 pm

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

Others present: Patricia Shogren-Selectmen's Admin, Janet Denison, Chip Current, Carsten Springer, Dylan Smith, Judy Jervis, Russ Harding, Steve Woitkuns, Tom Billbrough, Jr., Bob Moore, Doreen Moore, Sheila Johannesen

Chairman O'Neil 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. Delegate Session - none

II. Encumbered Funds

Chairman O'Neil explained that invoice amounts were received after 12/31/10 for two invoices that the Town was obligated to pay for 2010: The Town of Danville's share for participating in Household Hazardous Waste drop off is \$1188.57 payable to the Town of Hampstead; \$1794.30 for November and \$1794.30 for December, a total of \$3588.60, payable to New Hampshire Unemployment Claims. Selectman Giordano made the motion, seconded by Selectman Inman, to encumber funds for Hampstead in the amount of \$1188.57 and NH-UC in the amount of \$3588.60. Motion passed.

III. Heritage Warrant Article

Selectmen reviewed the amended Warrant Article submitted by the Heritage Commission to replace the existing Warrant Article 2011-11. Selectman Giordano made the motion, seconded by Selectman Ethridge, to replace the current WA 2011-11 with the amended Warrant Article. Motion passed.

IV. RPC – Open Space Planning

Dylan Smith, RPC, presented the Board of Selectmen the completed report and updated map of Danville using color designations to identify property using priorities set previously by the BOS: Wetlands/100 foot buffers, unfragmented properties of 50-plus acres, forested/soils. Dylan asked the Board to review and accept the report and to present to the Planning Board requesting the Planning Board to approve the report as an appendix to the Master Plan and to the Conservation Commission to keep the information in mind when purchasing land. Vice-chair Pouliot stated that he was not comfortable incorporating this into the Master Plan; this land was owned by someone else and RPC's report and map were guidelines for development in the future but not a goal or objective that belonged in the Master Plan. Chip Current stated that the Master Plan is the goal of a town and the report was a guiding principle. Dylan stated that some of these principles should be put in the Master Plan but not necessarily the map.

A great deal of discussion followed involving Carsten Springer, Judy Jervis, and Chip Current defining the purpose of this report and RPC's involvement due to another C-TAP project that was being confused with this project, Open Space Planning.

Chairman O'Neil asked the Conservation Commission and Planning Board to review the report and provide their feedback and comments to the Board of Selectmen within 30 days. Selectman Giordano made the motion, seconded by Selectman Inman, to accept the Report and recommendations and to ask the Planning Board and Conservation Commission to take the Report into consideration for open space projects. Motion passed.

## V. Minutes

Vice-chair Pouliot made the motion, seconded by Selectman Giordano, to approve the Minutes of January 17, 2011 as submitted. Motion passed.

## VI. Default Budget

Chairman O'Neil asked for a motion to include the \$9000.00 for the Employee Classification and Compensation Study costs in the default budget. Vice-chair Pouliot voiced the concern that he did not believe the Board could legally do this. There was no contract or agreement in place that required having these funds within the default budget. He stated the funds should be part of the operating budget. Chip Current stated he believed the default budget should be lean and include only the contractual and necessary items. The deadline for the final default budget is January 31. It was decided that Chairman O'Neil would contact LGC to have this question answered.

## VII. Signature File

Vice-chair Pouliot stated he spoke with the NH Electric Coop representative and was told the Poles were already set and the forms for the Board to sign were after the fact and allowed licensing for the electric company. The Selectmen signed the forms.

Selectmen reviewed the survey received from Liberty Mutual regarding Busby's work on the Sandown Bridge and authorized Patty to complete the form with input from the Highway Department and sign it.

Vice-chair Pouliot made the motion, seconded by Selectman Ethridge, to authorize Chairman O'Neil to sign the agreement with Melanson & Heath for the 2011 fiscal year audit. Motion passed.

## VIII. Announcements

Committee/Commission Positions open:

- Heritage Commission: 1 two-year opening; 2 three-year openings
- Recreation: 2 openings
- Planning Board: 1 opening, 2 alternates
- Budget Committee: 1 opening
- Website: 1 opening
- Deliberative session will be held Saturday February 5, 2011 at 10:00 at the Fire Association Hall
- TRSD Deliberative session is Thursday, February 10, 2011 at 7:00 PM at PAC  
Snow day is Friday, February 11<sup>th</sup>
- Candidate's Night will be February 28 at 7:00pm
- Voting will be Tuesday March 8, 2011 from 8:00 AM to 7:00 PM at the Fire Association Hall
- Filing for offices opens January 19 and closes January 28

Five-minute Recess

## IX. Public Hearing – Citizen's Petition 2011-19

Chairman O'Neil called for a motion to open the Public Hearing. Selectman Ethridge made the motion, seconded by Selectman Giordano, to open Public Hearing to discuss the Citizen's Petition Warrant Article 2011-19. Motion passed.

Vice-chair Pouliot asked if the petitioner was present and when Tom Billbrough, Jr. replied yes, Vice-chair Pouliot asked him if he wanted to explain his reasons for the petition. Tom replied he felt the petition was self-explanatory and he believed in limited government and wanted this on the local level.

Bob Moore stated he served on both a 3-member Selectmen Board and a 5-member Selectmen Board and believed that with 3-member Boards, two members made all the decisions leaving little needed discussion. He

stated that there was so much other work, duties, and responsibilities that came with being Selectman and without a Town Manager, a 3-member board could not accomplish all that needed to be done.

Chip Current stated he has lived in a number of small towns and felt that 3-member boards bring a lot of danger. He stated that it was too easy for a small group to run their own agenda along the interests of one board member as well as the administrative burden that was put on three people.

Carsten Springer asked Tom Billbrough, Jr. his reasons for changing the Board of Selectmen to a 3-member board and asked if cost was a factor. Tom replied to see how the Town felt about eliminating two salaries. Carsten responded the cost of two selectmen salaries was insignificant and the current 5-member board offered the Town a great deal of expertise and helped to balance out one another; different opinions are a good thing and he is not in favor of decreasing the Board's membership. Selectman Giordano asked Tom if he were interested in seeing how the Town felt and his intention was informational, why did he not do a survey. He asked if his intention was to reduce the Board membership, not to see how the residents felt, and Tom replied yes, his intention is to reduce the Board membership.

Russ Harding asked Tom why he decided to end-run around the election process and challenge the voter's previous decision to have a 5-member board. There was no response.

Carsten stated that the current Board, during the hard financial climate experienced by all, has kept the Town's budget at less than 1.5% increase over the past three-plus years and stated the Selectmen were good stewards of our funds and in this bad economy, have done a good job.

Russ H. stated that a 5-member board had more time to do the jobs needed as well as each sit on another Town board. Chairman O'Neil, speaking as a resident of Danville, stated that he submitted the Warrant Article that increased the board membership five years ago. He stated one dominating selectmen and one follower gave the third Selectman no voice. When he put forth the previous Warrant Article, he needed two percent of the Town's registered voters' signatures for his petition, not 25 signatures as now required. He stated the Warrant Article passed two to one and he continued to advocate for a 5-member board.

Doreen Moore stated she served as Selectman for six years on a 3-person board. She stated Danville was a smaller town then, the job was easier than it is now, and she commends this board for their attendance. When she sat on the Board, they would often have only two members show up and did not feel decisions were given enough discussion. As Town Clerk she verified all petitioner's signatures and voting status and stated she was disgusted by the petition and the petitioners, many who, although registered to vote, do not vote.

Steve Woitkuns asked Tom his motivation for bringing forth the petition. Steve asked if Tom believed a smaller member board was more efficient. Tom did not respond. Steve continued stating he had been involved with Danville for 28 years and agreed with the Moores that the town is lucky to have five dedicated people who serve the Town's interest. If the membership change is not a financial impact, why decrease the board size.

Selectman Inman stated she is a paralegal and works with many corporations and a quorum of two people, although not illegal, is unethical. There is a system of checks and balances for a reason.

Selectman Ethridge stated he is a new member of the board and is concerned that lowering board membership to three members is irresponsible. There is a great deal of value with five members and the expertise of each member is very different which is valuable to discussions and decision making. He stated he would serve as a volunteer and is not a member to make \$100 a month. Sheila Johannesen asked if Selectman Ethridge voted for his own raise. Tom stated the Selectmen voted for their own raise. Vice-chair Pouliot stated he took personal offense to this comment. He has sat on this board off and on for over 20 years and not once has received a pay increase and Bob Moore stated he put together the pay matrix for the Town and the Selectmen, although part of the matrix, no increase had been built in for them. Selectmen's Admin stated she put together the Selectmen's budget and after reviewing figures this year and selectmen's compensation in New Hampshire, found Danville to be the third lowest paid group board in the State and she put in the increase and argued with the Board of Selectmen to approve it.

Carsten stated he could not see a possible benefit from decreasing the board membership from five to three.

Selectman Giordano addressed Tom Billbrough, Jr. stating he saw a personal vendetta between Tom and Shawn and stated Tom was not doing the Town any justice.

Chairman O'Neil asked if there were any more comments or input and when he received no response, he asked for a motion to close the public hearing. Selectman Giordano made the motion, seconded by Selectman Inman, to close the public hearing. Motion passed.

X. New Business

Vice-chair Pouliot addressed an email he received from department heads stating they would not support the Compensation Study if it meant cutting salaries due to the Study's findings/recommendations. He referred to the minutes of the January 17, 2011 BOS meeting where it was discussed and decided by the Selectmen that no salaries would be lowered. Although believed to be illegal to lower personnel salaries, the Board felt it was ethically wrong to lower salaries. Selectman Inman stated she had researched this and hourly rates could be lowered with notice but personally felt it was demoralizing and a bad precedent to set and she could not support lowering an employee's hourly rate; Selectman Giordano concurred. Chairman O'Neil stated he felt the departments had to accept the negative and he was looking for support for the Study and that the departments would stand by the study. Selectman Giordano stated he saw the study as a guideline that gave us job descriptions, qualifications, and applicable compensation variables for each job. Vice-chair Pouliot stated that this was not the impression given to the departments approached and it appeared a rogue selectman was discussing the study as a Board decision and not as an individual. Chairman O'Neil stated that although this Board may decide not to lower pay rates as recommended by the study, succeeding boards may decide differently and the departments needed to be aware of this. He stated he was trying to keep all informed since the decision to do this study came late in the game. Vice-chair Pouliot stated that the funds for the study were not approved, not part of the default, and may not even be available for the study after voting and it was too soon to approach departments.

At 9:00 PM Selectman Giordano moved and Vice-chair Pouliot seconded a **motion to adjourn**. The motion passed.

Respectfully submitted,

Patricia Shogren  
Selectmen's Admin