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Town of Danville
Board of Selectmen
August 15, 2016
7:00 pm

Live-streamed

Selectmen Present: Vice-Chair Chris Giordano, Judi Cogswell, Kimberly Farah, Sheila Johannesen
Excused Absence: Chairman Shawn O'Neil (arrived at 8:00pm)

Others present: Patty Shogren-Administrator, Bruce Caillouette- Road Agent, Beth Caillouette, Richard Moussa

Vice-Chair Giordano opened the meeting with a moment of silence for the troops who put themselves in harms way. All stood for the Pledge of Allegiance.

I. Minutes

Selectman Cogswell made the motion, seconded by Selectman Johannesen, to approve the 8/1/16 minutes as amended; **motion passed.**

II. Paving Bids

The first bid that was opened was from Bell and Flynn Paving. To do work on assorted roads would cost a total of \$213,150.

The second bid was from Can Brothers Paving. They did not provide a grand total. Their bid was written toward charging for time and material but gave no estimate of what that would be. Bruce explained he took each company around and provided information of needs as they visited each road that is slated to be paved this year. Vice-Chair Giordano suggested that this bid be overlooked since it did not give any details. Selectman Farah agreed but noted that Bruce should have provided a template with the bid that outlines the needs.

Selectman Farah made the motion, seconded by Selectman Cogswell, to award the bid to Bell and Flynn; **motion passed.**

Bruce stated he will draft up a template for future paving bids so each company knows what we are looking for.

III. Waste & Recycling Bids

The first bid was from Waste Management. MSW would cost \$243,276; recycle collection would cost \$112,669.56. Bulk waste would cost \$15,994. The bid totaled \$387,933.56.

The second bid was from Casella. MSW would cost \$223,081; recycle would cost \$75,000. Bulk pickup will be charged \$25 per hour per truck and a \$79 per ton disposal fee. The grand total is \$298,081 plus the bulk waste plus the recycling processing. Selectman Farah asked if there was any mention of an annual increase. All items are subject to a CPI increase but would not be less than 2% per year.

A spreadsheet will be created so that the two companies can be compared easily. The spreadsheet will be ready for the next meeting.

IV. Non-Public Minutes

Selectman Farah made the motion, seconded by Selectman Cogswell, to approve the 8/1/16 non-public minutes as written; **motion passed.**

The second set of non-public minutes, Selectman Johannesen was excused from, was deferred to be reviewed at the non-public session scheduled for after the public meeting.

V. Signature File

Selectmen signed Warrant #2016-16 for vendors and payroll and Warrant #2016-FD7 for the monthly Fire Department response payroll.

VI. Old/New Business

Terra Documents- Selectman Farah stated that at a previous meeting Vice-Chair Giordano said that the Conditional Excavation Permit had to go to the Planning Board. However, the permit has already been issued (per court order) so now it is up to the Town Engineer to oversee the permit. This will be brought to Terra's attention when they go to the Planning Board for approval of the Reclamation Plan.

Selectman Farah also informed the Board that Tuckertown Road had been graveled in 1993.

Patty found a spreadsheet with a check-and task list that outlines the status of the project with extracted, relevant paragraphs from the permit. Selectman Farah suggested that the Board review this for any updates. Vice-Chair Giordano said that this was the job of Planning Board. All of the points made will be updated when the plans go for review.

(8:00pm: Chairman O'Neil now present)

Vice-Chair Giordano stated that the regulators of the Conditional Excavation Permit and the Conditional Use Permit are the Board of Selectmen. He stated that in his opinion, the review and issuance of these permits should be the Planning Board. It was stated a Warrant Article was needed for this change.

Other Business- Selectman Farah asked about a meeting with the department heads. Patty informed her that this will happen at the next meeting, August 29th.

Selectman Farah inquired about the milfoil bill. Patty said that there are a total of 3 bills, 2 have been paid. For the third one there was no itemized breakdown and it has been requested before the last bill is paid.

Selectman Farah brought up the emails regarding trash on Cub Pond Rd. Trash not picked up on Cub Pond Road because trucks cannot get down the road. Patty stated that residents living on Cub Pond are supposed to have keys to the town trash dumpster. Johannesen stated they do not have keys to the dumpster. It was thought that Casella may have put barrels at the end of the road and campers on the pond are using them. Residents on Cub Pond should not have barrels. Patty will talk to Janet about keys to the dumpster.

Selectman Farah brought up the Public Hearing about Building Fee Permits that was supposed to happen this meeting. Patty stated that due to vacations, neither Janet nor Ed were ready to present their figures and she will check with them to see if they will be ready to continue the hearing at the August 29th meeting after the department head meeting.

The recording secretary job will be advertised on the Town Website for someone who can be physically present, rather than remotely. Consensus of the Board, Chairman O'Neil abstained.

Selectman Farah suggested that a warrant article needed to be drafted before the BOS could sell the 599 Main St. property which would be free to sell in September 2017. Patty and Vice-Chair Giordano said that a warrant giving the BOS this authority has already been done and passed. Patty showed Farah the applicable town report.

Selectman Johannesen read a letter from her attorney, Jason Major of Douglas Leonard & Garvey, PC, addressing the Board of Selectmen. The letter is attached.

Selectman Cogswell brought up that the Heritage Commission had made some changes to the Meetinghouse Stewardship plan and has not received any feedback. They would like to be able to sign the changes at the Meetinghouse meeting on August 26th.

Selectman Johannesen clarified that the letter will be attached to the minutes.

Selectman Farah inquired about the letter from Peter regarding the Meetinghouse Subdivision. Patty informed her that Planning Board is still waiting on this letter and they will forward to the BOS.

Respectfully Submitted,
Meghan O'Neil-Selectman Recorder

At 8:26 pm, Motion to enter Nonpublic Session made by Kim seconded by Shawn

Specific Statutory Reason cited as foundation for the nonpublic session:

x RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

Roll Call vote to enter nonpublic session:

Shawn O'Neil	Y
Chris Giordano	Y
Kimberly Farah	Y
Sheila Johannesen	Y
Judi Cogswell	Y

AND

x RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

Roll Call vote to enter nonpublic session:

Shawn O'Neil	Y
Chris Giordano	Y
Kimberly Farah	Y
Sheila Johannesen	abstained
Judi Cogswell	Y

Entered nonpublic session at 8/26/16 p.m.

The (a) session of the non-public meeting ended and the BOS began the first part of the (e) portion of the non-public meeting:

Motion to return to Public Session made by Kim seconded by Shawn

Roll Call Vote to return to public session:

Shawn O'Neil	Y
Chris Giordano	Y
Kimberly Farah	Y
Sheila Johannesen	
Judi Cogswell	Y

Motion: PASSED

Motion made to seal these minutes? If so, motion made by Kim seconded by Judi because it is discussions of pending lawsuits are protected under 91-A.

Roll Call Vote to seal minutes:

Shawn O'Neil	Y
Chris Giordano	Y
Kimberly Farah	Y
Sheila Johannesen	
Judi Cogswell	Y

Motion: PASSED

At 9:26 pm Judi made the motion, seconded by Kim, to adjourn

These minutes recorded by: _____
Patricia Shogren, Admin