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Town of Danville
Board of Selectmen
September 10, 2018
7:00 PM

7:05 PM

Meeting is Video-Recorded
Theo Boyd, camera operator

Selectmen Present: Chairman Scott Borucki, Vice Chair Shawn O'Neil, Sheila Johannesen, Judi Cogswell
Absent: David Knight

Others Present: Patricia Shogren, Town Administrator Members of the public: Janet Denison, ZBA

Scott 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. Public Hearing- Second Public Hearing for the Far View cul-de-sac

Scott requests a motion to open the second public hearing on the Far View cul-d-sac. Judi made the motion, . Seconded by Shawn. Vote was unanimous. There being no public present to comment; Scott requests a motion to close the public hearing on the Far View cul-de-sac. Judi motioned to close the public hearing. Seconded by Sheila. Vote was unanimous.

Shawn states that through the efforts of Patty and Janet, the town now has the title to the Far View property signed by the previous builder, and the intent of the town is to turn over the title and deed the cul-de-sac to the Jervis' who are the rightful property owners. Shawn motioned to assign a quitclaim deed to 96 Far View Drive to Paul and Judith Jervis. Seconded by Judi. Vote was unanimous.

II. Assessing Bids

Janet presents the BOS with the sealed bids. However, they have not received the bid from the current contractor. Janet states that she has been in continual contact with them via phone and e-mail and that they informed her of their intention to bid. As per her last conversation, the company was having someone bring their bid over, however it has not arrived and the company is not sure what happened. Scott clarifies that his understanding is the company is claiming that courier is on the way and for some reason has not arrived yet. Janet affirms that information. Shawn states the BOS reserves the right to refuse and has the ultimate decision on the process. He recommends postponing the opening of the bids for two weeks until the next BOS meeting. He asks that Janet contact the other companies that the opening of the bids has been extended for two weeks. He states that he feels the missing bid is an issue of the logistics of the bid arriving. Janet clarifies that the bids would remain sealed and locked unless the bidders wished to update their bids. Shawn motioned to extend the opening of the bids by two weeks (the next BOS meeting). Seconded by Judi.

Sheila opens discussion of the motion by reading a Municipal law that states that when a community has enacted a policy for competitive bidding, that policy must be strictly followed. She proceeds to read the competitive bid process adopted by the Town of Danville stating the town must accept all bids up to the time on the notice. Patty asks if there are exceptions to the process further down in the policy, citing a DOT bid as an example. Sheila continues that the policy states all bids will be opened on the date and time stated in the public notice. Shawn responds that he had motioned to extend the date and time of opening the bids, and that Judi had seconded the motion. Sheila expressed her frustration that policies are not followed. Shawn responded the situation was a result of reality. He emphasized that the town's current contractor would not be receiving an undue advantage as the bids were going to remain sealed, and the BOS was extending a courtesy due to the unknown circumstances of the missing delivery of the bids. Scott summarizes that the BOS has not refused the any bids, has not opened any bids, and that Janet has been in continual communication with the vendor of the missing bid. He reiterates this is some

kind of issue with the courier and that in fairness to the vendor, who has done their due diligence, he personally does not see a problem with the motion.

Scott calls for a vote: Shawn, Scott, and Judi- yes; Sheila- no. The motion carries 3-1

III. Delegates

There are no delegates and no presentations for this BOS meeting. Shawn suggests the BOS move on to Old/New Business and finish the internal processes after those issues are discussed.

IV. Old/New Business

Impact Fees:

Janet presents the BOS with impact fees in the amount of \$30,158.46 (plus any interest) that will be expiring in 2019-2020. She explains that if these funds are not expended by the deadline, they must be returned to the owners. Shawn explains this is money collected as school impact fees for new construction. At the end of six (6) years if the fees have not been expended, they, plus interest are returned to the current deeded owner of the property. Shawn motions the money should be withdrawn and should be withdrawn annually. Patty suggests the money be used to offset the anticipated tax rate in October. Shawn agrees that the money should be withdrawn, and a check issued to the School District. Scott summarizes Shawn's motion to withdraw \$30,158.46 of school impact fees and apply it to offset the upcoming school tax. Seconded by Sheila. Vote was unanimous.

Home Business Approval Procedure:

Shawn states that after Janet walked last week's applicant through the process, ensured it was complete, that he would like to see the procedure revamped so that Janet officially completes all the necessary legwork of the process, and then presents the file to the BOS to discuss and sign off as a signature file. Janet would also be able to refer any issues directly to the ZBA rather than bring them to the BOS.

Janet explains this will require a warrant article by the Planning Board to change the zoning ordinance. Existing rules require the applicant to attend a regularly scheduled BOS meeting to review the application with the BOS, so that language would need to be changed. Scott asks Janet to write the warrant article with the changes and to present it to the Planning Board. Janet agrees to do so. Sheila disagrees with changing the policy. She feels the BOS should have an opportunity to ask their own questions. Scott expresses concern if the questions on the application have already been answered in the affirmative, the applicant has met the requirements of the ZBA, and the BOS does not have the authority to refuse an applicant if those conditions have been met. Sheila expresses concern the agenda only states "home business." Patty states that she would send out the full information to the BOS. Scott asks if the nine questions from the ZBA are on the application. Janet states they are not. She suggests that if the warrant article passes, the application could be revised to include questions from the ZBA, and a qualifier added that all applications are subject to the final approval of the BOS. Janet says these procedures do not need to be part of the warrant change but could be added and refined if the warrant changes pass next spring. Scott requests a vote on the BOS recommending the warrant change. Shawn, Scott, and Judi- yes, Sheila- no. Vote was 3-1 to recommend the change.

V. Signature File

Minutes: Sheila noted a typo on line 247 the letter "b". Patty noted that Dave had reviewed the minutes and noted a change in the attribution of a comment. Judi motioned to accept the minutes as amended. Seconded by Sheila. Vote was unanimous.

Scott opens discussion about the recent Budget Committee meeting. He notes Dave's question at that meeting of why do they need a Budget Committee. There was discussion of their effectiveness. Scott expresses concern that Department Heads have to present the same information to the BOS and then again to the Budget Committee. He questioned if the Budget Committee could attend the BOS meetings and have a joint meeting during budget presentations. Patty stated they heavily review anytime the budget is 10% over the previous year. Scott is very interested in streamlining the process. Sheila provided information that Hampstead already does joint meetings. Budget hearings are put on the agenda and department budgets are presented on a first-come basis. More discussion

regarding how frugal and thoughtful department budgets are, how well scrutinized they are by the BOS before they go to the Budget Committee. Patty notes the process is one of checks and balances. Shawn points out budget changes can be made during the deliberative session. Scott would like to wait until there was a full Board before further discussion and decisions regarding the Budget Committee are made. Due to vacations, the first opportunity will be the BOS meeting on October 8.

Judy wishes a Happy Birthday to Chief Parsons and notes this was a “milestone” Birthday. Shawn, Scott, and Patty add their Birthday wishes.

VI. Town Announcements

- ✚ Sunday, September 23, 2018- from 2:00PM- 4:00PM, Paul Wainwrite will be at the Old Meeting House to talk about old Meeting Houses around the state.
- ✚ Trunk or Treat: Saturday, October 27, 2018 from 1:00PM- 4:00PM
- ✚ Holiday Craft and Vendor Fair: Saturday, November 10, 2018- Details to follow
- ✚ Annual Senior Holiday Luncheon: Saturday, November 17, 2018 from 12:00PM – 2:00PM
- ✚ Tree Lighting Party: Saturday, November 27, 2018 starting at 4:30PM

Open Committee Seats:

Forestry: 1 open position and 1 alternate
Heritage: 1 open position and 1 alternate
ZBA: 1 alternate position
Budget Committee: 1 open position

Shawn notes that the Town Offices will be closed on Tuesday, September 11 for the elections.

There being no further items to discuss, Scott asks for a motion to adjourn. Judi motioned to adjourn. Seconded by Sheila. Vote was unanimous.

Meeting was adjourned at 7:50PM

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

Respectfully Submitted
Deborah A. Christie