

Town of Danville
Board of Selectmen
October 8, 2018
6:30pm

Motion to enter Nonpublic Session made by Judi seconded by Sheila

Specific Statutory Reason cited as foundation for the nonpublic session: RSA 91-A:3, II(c)

Roll Call vote to enter nonpublic session:	Scott Borucki	yes	
	Shawn O'Neil	yes	
	Sheila Johannesen	yes	
	Judi Cogswell	yes	
	David Knight	yes	Motion: <u>PASSED</u>

Entered nonpublic session at 6:35 p.m.

Motion to return to Public Session made by Dave seconded by Judi

Roll Call Vote to return to public session:	Scott Borucki	yes	
	Shawn O'Neil	yes	
	Sheila Johannesen	yes	
	Judi Cogswell	yes	
	David Knight	yes	Motion: <u>PASSED</u>

Motion made to seal these minutes? If so, motion made by Shawn seconded by Sheila

Roll Call Vote to seal minutes:	Scott Borucki	yes	
	Shawn O'Neil	yes	
	Sheila Johannesen	yes	
	Judi Cogswell	yes	
	David Knight	yes	Motion: <u>PASSED</u>

These minutes recorded by: Patricia Shogren

7:00 PM

Video-Recording began at 7:15pm

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

Others Present: Patricia Shogren, Town Administrator; Members of the public: Bruce Caillouette, Road Agent; Barry Hantman, Chair, Planning Board; 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. Delegates** - none
- II. Assessing bids:** Following review of the four bids received, Shawn made the motion, seconded by Dave, to accept the assessing bid for \$24,000 from Contract Assessing Services; motion passed.
- III. Signature File & Minutes** – Selectmen signed the Vendor and Payroll Warrant 2018-20, the Library Payroll Warrant 2018-20, and the Fire Department Monthly warrant 2018-9. Selectmen signed the updated Bid/Purchase policy approved at the 9/24/18 prior meeting. Dave made the motion, seconded by Sheila, to approve the 9/24/18 minutes as written; motion passed. Judi abstained.
- IV. Old/New Business:** Konica/ Minolta Lease - Patty explains the new copier will copy and collate. Scott asks if the lease on the current copier is coming due. Patty confirms this and further explains the cost besides the lease is .01 /per page for black and white and .07 /per page for color. Shawn confirms with Patty that Konica/Minolta provides the toner, and that there is an additional maintenance agreement on the new equipment. The existing copier will be sent to the Police Department and the printer currently at the Police Department will be moved to the Fire Department. This will allow

further shifting of existing copiers among departments and an opportunity to upgrade from standard ink printers. Judi motioned to accept the lease agreement. Seconded by Shawn. Vote was unanimous.

Setting of Election Hours: Scott requests the formal vote on setting the election hours for the Nov. 6, 2018 elections. He suggests 8:00AM-7:00PM. He confirms Barry Hantman (Moderator) agrees with this time. Dave asks if they should set these as the default hours for all elections. Patty explains that the hours of each election must be motioned and voted on individually and submitted to the Secretary of State. Judi motioned to accept the hours put forward. Seconded by Sheila. Vote was unanimous.

Veteran's Day BOS meeting: Patty reminds the BOS that Monday, November 12, 2018 is Veteran's Day and that she has not scheduled any budget hearings for that evening. The BOS discussed whether to hold a BOS meeting that evening. It is not a warrant week. No consensus was reached at this time.

Employee Manual Changes: Dave asks if the BOS needs a motion to accept the changes made to the evaluation policy on page 11 of the Employee Manual. Patty notes the changes made were noted on page 2. Scott requests a motion to change the performance evaluation on page 11 of the Employee Manual as recommended. Dave motioned to accept that request. Seconded by Sheila. Dave further clarifies the change is the due dates of when the performance evaluations must be completed and turned in. Vote was unanimous.

JLMC yearly facilities safety inspection: Patty notes that she has already addressed the issue with the stairs with a rope and sign "Employees Only" and the parking lot issues really need to be addressed. Sheila asks if this change means that committees can no longer meet upstairs. Patty responds that the issue has not been addressed yet, but if members of the public were to attend those committee meetings, the meetings would have to be moved. Scott explains the issue from the liability standpoint is the staircase is a blind access point from the entrance doors and that someone could come in and directly go up to the second floor undetected. The other issue is that if anyone wished to attend a committee meeting, but could not access the second floor due to a disability, that committee meeting would need to be moved to accommodate that need for access. Patty explains that Forestry is currently the only committee meeting on the second floor due to a meeting schedule that conflict with the BOS meetings.

Inspections of the Fire Department and Police Department, recommendations aside from both departments being cramped, included getting a visual inventory of all equipment in the event they needed to justify any claims. Patty will relay those recommendations to the Fire Chief and Police Chief.

Library: Inspection revealed a secondary issue of the potential of water damage due to poor drainage at the back door of the lower level. Dave noted the flower beds were higher than the walkway and did not allow for proper drainage. There was a recommendation to rework the walkway with flat grates that would channel the water under the walkway and direct it away from the building. Scott expressed that his greatest concern, based on letters the BOS had received, is that a Library employee is bringing a dog to work in a town owned building. The recommendation from the insurer is the town should have a general understanding that pets cannot be brought to work and be in public buildings. With the exception of service animals, this should apply to all town departments and town buildings. Scott reads the detailed concerns directly from the insurer's report.

He states the issue is enforcement and suggests the BOS adopt a policy that animals are not allowed in any town-owned building. Shawn agrees and feels the BOS should vote to send that recommendation to the Library Board of Trustees and hope they follow through. Scott recommends that aside from the library a policy should be in place across the board for all town-owned buildings. He requested a motion the BOS will not allow any animals, with the exception of service animals, in any town owned building. Motion seconded by Dave. Sheila asked how the policy would be enforced. Scott responded that non-compliance by an employee would result in trespass charges and/or the town would take possession of the animal. Dave notes there is usually good compliance when the public is aware that animals are not allowed. He stated that any conflict raised by the library should be handled at that time. The policy is written for the town and the town pays for the liability insurance on that building. He and Judi both note they too have received comments and letters from concerned townspeople regarding fear of animals and allergies. Dave asks who carries the liability for service animals. Sheila states that is with the organization who certifies the animal.

Sheila asked how the policy would affect special programs sponsored by the town such as the rabies clinic. Barry suggested that the policy contain the language "unless specified and approved by the BOS" to cover any town town-sponsored animal events. Sheila reads from a document that specifies exactly two questions that can be asked of anyone claiming to have a service animal. After further discussion, Dave asks Sheila to forward a copy of those two questions to Patty. Patty asks Scott if this discussion is a "general understanding" e: g: a rule, or if he wants a policy. Scott states that he would like this written up as a policy. Dave comments that he does not believe they can

enforce the rule unless it is a written policy. There being no further discussion, Scott calls for a vote. Vote was unanimous. Patty will write up the policy and present it to the BOS for approval.

Highway Dept.: Insurer's recommendations include the following: Keep the gate closed and locked when the shed is unoccupied. Insurer concerned about open access. Scott suggests leaving the type of lock to Bruce's discretion. Bruce states that he will look into a mechanical gate. Other recommendations include securing the equipment racks to the walls and floors- no freestanding racks, and to ensure that walkways are kept clear of tools and equipment. Scott again brings up the necessity of creating a visual inventory of equipment, large and small. There is a short discussion regarding how such documents can be stored off-site as digital back-ups. Shawn recommends that a note be sent to all department heads requesting that they create a visual inventory (photos or video) to be submitted to the BOS for storage for insurance purposes. He suggests a follow-up to confirm this is completed within a month. Dave comments the little things add up to large losses when filing a claim. Other recommendations for the Highway Dept include finishing the railings around the perimeter and completion of an inventory of equipment and vehicles owned by the town to be compared to the insurance schedules. There is discussion regarding the storage of vehicles inside the shed. Sheila asks if the newly leased equipment would be stored outside. Bruce responds that it will eventually be stored inside the shed.

Scott informs the BOS that the insurer will return in 45 days to check on follow-up on the issues reported. He suggests the town Building Inspector also check all the town-owned buildings and report on his recommendations. Patty states that Janet has already spoken to him. He is off today, but will begin the process tomorrow. Dave also wants to ensure that the Heritage Commission gets their recommendations, and to create a visual inventory of all the materials that are their responsibility. Scott's suggestion is agreed upon by consensus of the BOS. Scott asks Bruce to keep the BOS apprised of the progress in meeting the insurer's recommendations and encourages him to ask for assistance as needed to meet the deadline.

Sheila asks if Bruce still has the old gate from the cemetery that was removed for repair. Bruce affirms that he still has the gate, but it needs to be rebuilt and is an intricate job. Sheila also inquires into the status of the Salt Shed. Bruce states the funding is almost complete and the withdrawal from the Salt Shed Capital Reserve fund will go on the ballot. Several companies specialize in salt sheds; it will go out to bid.

Dave had a question regarding the installation of some missing guardrails. Bruce states that he has been unable to find a company licensed and insured to do this. As a last resort, he has offered to use some older guardrails the Dept. has and to install them himself. Dave reminds Bruce that this is a risky endeavor and that an injury this close to winter would be disastrous.

Scott asks Bruce to address a trip hazard (pothole) in the parking lot noted by the insurer's inspection. Bruce responds that he has already filled the pothole.

Budget: Shawn motioned to accept the following budget lines as level funded plus the pre-approved COLA increase of 2.7%.

✚ **4441.10- General Assistance- \$7543**

✚ **4442.10- Direct Assistance- \$27,700**

✚ **4445.20- Vendor Payments- \$31,132**

Seconded by Sheila. Sheila asks when the last time the vendors were questioned. Shawn responds every year. Patty notes that several vendors were not funded due to lack of response of services rendered. Vote was unanimous.

✚ **4150.10- Acct & Financial (TTF) - \$2925** Patty explains that this line is not level funded. Funding was adjusted to meet actual costs of various fees. Shawn initiated a discussion of the need for the Post Office Box. Patty itemized what comes through the box and explains the Trustee mail is separate from the Town mail. Scott expressed concern of mixing up town and Trustee mail and suggests leaving the budget as presented and letting the Trustees make that decision. Patty outlines changes to the stipend to include the COLA increase and a small increase due to the amount of extra work that the accounting process requires- for both internal recordkeeping and state filings. Shawn agrees that there is significant work required because of the many scholarships and other special accounts that must be reconciled. Scott motioned to accept the budget as presented. Seconded by Shawn. Vote passed. Sheila abstained.

✚ **#4152.10- Assessing- \$24,500**

Patty presented the assessing budget at \$24,000 Shawn motioned to increase this line to **\$24,500** to accommodate the assessor hourly rate for representing the town in assessing appeals and dealing with ongoing issues with utilities. Seconded by Judi. Vote was unanimous.

✚ **4316.10- Street Lighting- \$8500** Patty presented the Street Lighting budget at \$7700. Scott expresses concern the amount is too low given the possibility of a rate increase. Discussion centered on the amount of the PSNH increase. Shawn motioned to increase this line to \$8500 to absorb a rate increase. Seconded by Judi. Vote was unanimous. Dave confirms with Patty that the utility companies involved are NH Coop and Unitil.

✚ **4130.30- Town Meeting- \$1885** Patty outlines the costs of the mailers, printing of the Town Reports and other costs associated with the Town Meeting. Shawn motioned to accept the budget at \$1885. Seconded by Judi. Vote was unanimous.

✚ **4197.10- Adv and Association Dues- \$3833** This line is for the Town's membership in NHMA. Fee is based on population. Shawn motioned to accept this budget line at \$3833. Seconded by Judi. Vote is unanimous.

✚ **4150.50- Treasury- \$10,925** Patty notes the budget is level funded with the exception of a \$30.00 increase in mileage and the pre-approved 2.7% COLA increase for the Treasurer and Deputy Treasurer. Shawn motions to accept the budget at \$10,925. Seconded by Judi. Vote was unanimous.

Shawn motioned to accept the following budgets as presented at level funding

✚ **4191.30- ZBA-\$775**

✚ **4191.10- Planning Board- \$3300**

Seconded by Judi. Vote was unanimous.

✚ **4583.10- Patriotic Purposes- \$4533** Patty explains an increase of \$500 for cemetery and street flags. Scott motioned to accept this budget line at \$4533. Seconded by Judi. Vote was unanimous.

Scott asks the BOS to review a draft of the modified zoning ordinance regarding the process of applying for a home business as discussed at an earlier BOS meeting. BOS discussion regarding concern the draft does not actually change the process as requested. Several alternative statements considered. Sheila expressed concern if the applicant is not actually required to appear before the BOS, public interest is denied. Scott states that if the applicant/application meets all the criteria the BOS is bound to approve the application. There is further discussion concerning public interest. Janet states that Sheila's concerns may be regarding an abutter's right to appeal which must be filed within 30 days of an approved application. BOS has further discussion regarding how detailed information must be on agendas, revising ZBA procedures, and when the 30-day appeal process should start. Janet states the procedural changes regarding the appeal process includes 30 days from the decision or 30 days from when the decision becomes known. Shawn and Scott point out that the application/applicant is noted aloud at the meetings and are broadcast and reflected in the minutes. Dave suggests the procedural change could include the date of approval or from the start of the business activity. Dave requests that the ZBA consider the BOS concerns as they revise these procedures.

Scott reviews the language on the proposed warrant article regarding the Budget Committee. Patty has checked with counsel and the warrant does not need to include the Town Meeting dates the Budget Committee was approved. Scott recommends the language change to ***"To see if the Town will vote to rescind the provisions of RSA 32:14, Municipal Budget Act adopted at Town Meeting Vote."*** Dave motioned to accept the wording change of the warrant. Seconded by Judi. Vote: 4- yes, Sheila voted no.

Scott requests a vote for the warrant to be recommended by the BOS. Vote: 4- yes, Sheila voted no

The BOS reviews the draft for the Noise Ordinance. Patty has removed several pages of RSA citations, reducing the ordinance by two pages. The BOS asks that "regulation" be replaced with "ordinance" for consistency. Scott confirms the quiet hours are as discussed previously, as well as the exemptions. Scott reinforces that this ordinance is to give the police the tools they need to address noise complaints. Dave motioned to accept the warrant article as amended with the word "ordinance". Seconded by Judi. Vote was unanimous.

Dave motioned for the BOS to recommend this warrant article. Seconded by Judi. Vote was unanimous.

Dave updated the BOS with the new court dates for the Meetinghouse Lawsuit. The new dates are Monday, Nov. 19 and Tuesday, Nov. 20. Due to the non-public nature of this matter, Dave motioned for the BOS members to contact him individually for further information. Seconded by Shawn. Vote: 4 yes, Sheila abstained.

Dave expressed concerns regarding the extra fees for recycling glass through Casella and reminded the BOS that there had been no response to their request for the cost structure. He also pointed out that a local recycling association had reached an agreement with a glass recycling plant in Canada, but was not aware if Casella was participating. Scott would like the BOS to talk with Casella before addressing the Waste budget. The Waste Budget

hearing is scheduled for Oct. 22, however, bulk pick-up is not until Oct. 20, and the BOS would like those numbers prior to discussing that budget. Patty will move the Waste Budget hearing back so the BOS will have all the requested information.

Dave requested confirmation the issue with the Far View deed had been resolved.

Dave revisited a previous issue of open space on Colby Pond. The homeowner's association had collapsed, however, all the homeowners continue to own that land in common. There are questions regarding if and how much of that land is owned by the town. Barry stated the Ball Park was deeded to the town, but the open space remained with the homeowners. Dave asked that research be done to ensure the proper paperwork was completed and to confirm ownership of the land in question.

Dave also questioned the ownership of a garage that is currently on VIS property. Patty confirmed the Fire Association owns the garage. Dave expressed concern it was listed as town property on the insurance inventory and would like that issue resolved. He noted that any town owned property stored in the garage should continue to be insured, but not the building.

Dave requested that Patty provide the cost of the 2.7% COLA increase for the next Budget Committee meeting. Patty reminded him it would only be an estimate as not all the budgets have yet been submitted.

Dave followed-up on a decision to update an attorney. Janet informed him that she has compiled all the requested information and it was available on a flash drive.

Scott informed the BOS of a Right-To-Know class on October 26, 2018 from 9:00AM-12:30PM at the NHMA offices in Concord.

There will be NO BOS meeting on Monday, November 12, 2018.

Bulk pick-up is scheduled for October 20. Forms must be completed and submitted by Wednesday, October 10, 2018.

V. Town Announcements

Open Committee seats:

Forestry- 1 open position and 1 alternate

Heritage- 1 alternate

Trick or Treat will be celebrated on October 31, 2018 from 6:00-8:00 PM

Recreation Happenings:

- ✚ Trunk or Treat! Saturday, October 27 from 1:00PM-4:00PM. All ages are welcome. Contact the Town Hall or print a sign-up sheet from the Recreation Face Book page or from the Town website under "Recreation"
- ✚ Craft and Vendor Fair- Saturday, November 10. The sign-up form is now available on the Town website and on the Recreation Face Book page.
- ✚ Annual Senior Luncheon- Saturday, November 17 from 12:00PM-2:00PM. Contact Chris or Sue in the Town Clerk's Office to reserve your lunch.
- ✚ Annual Tree Lighting Party- Saturday, November 17 at 4:30PM. – PLEASE NOTE: this is one week earlier than it is usually held!

Dave motioned to adjourn. Multiple seconds. Vote unanimous.

Meeting adjourned at 9:15PM

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

Respectfully Submitted
Deborah A. Christie