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Town of Danville
Board of Selectmen
November 19, 2018
7:00 PM

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Meeting is Video-Recorded

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: Steve Woitkun, Fire Chief; Brian Groshon and Dave Allan from Casella Waste; Wade Parsons - Police Chief and Justine Merced - officer; Dr. Kim Farah, Jim Castine – Heritage Chair, Janet Denison, Ann Powers, Sharon Woodside, David Cogswell, Kathy Beattie

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

Fire Chief Woitkun addressed the BOS regarding the Storage building known as Station 2. In his and the Ward's opinion, the building cannot be moved. He suggested that an additional bay be added to the current Fire Station on the Gerry Dr. side. This will provide sufficient storage for the equipment currently stored off-site as well as additional space. He has begun the process of getting some idea of the cost of such construction. The BOS was pleased with this idea and will work on the appropriate warrant once the idea is more fully developed.

Dr. Farah addressed the BOS with an update on the TRSD Board. The school tax rate for Danville decreased this year. She and Shawn are working on the process of removing the TRSD trust funds from the management of Danville Trustees of the Trust Funds. Danville has managed these funds at town expense for 50 years. New laws will require even more management for the scholarships and other functions, increasing expenses. Plaistow has expressed an interest in taking on this responsibility. A school warrant will need to be written and voted on by Danville residents to move these funds.

Jim Castine, chair of the Heritage Commission addressed the BOS regarding the review of a Social Media policy developed by the Commission. He has been asked to have the policy reviewed by Legal Counsel. The BOS instructed him to submit the policy to Patty and she will have it reviewed. He discussed the deadline he would need this review completed to meet the By-laws and meetings of the Heritage Commission.

Dave Allan and Brian Groshon from Casella addressed several issues with the BOS. Janet Denison joins the BOS for this discussion.

Bulk Pickup: Casella picked up 68 tons with 9 trucks during the October bulk pick-up. There was one missed stop. They felt the sign-up system worked well. Janet states that most issues resulted from a need to educate residents on the process, something that will continue for the spring pick-up. Scott noted that while the tonnage was down by 37%, the costs had increased by 18%. This is due to an increase in fixed costs as well as scaling the pick-up process. There was discussion regarding the need for a firm cut-off date for sign-ups so Casella could build the route. Further ideas to reduce costs included possibly having stickers to mark approved pick-up addresses. This would save much time over the current address checklist used. Scott suggested the possibility of covering items that absorb water to reduce the weight of those items. Other ideas to reduce costs further included limiting "bulk" items to items that will not fit into a toter, restricting the amount of glass, bundling loose waste, and limiting the amount of construction waste. The consensus of the BOS and the Casella representatives is that the new process has definitely lessened the abuse of the bulk pick-up program.

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Recycling: Brian Groshon provides the BOS with the cost structure of Casella's recycling program as discussed earlier this past summer. After reviewing the documents with the BOS, Mr. Groshon and Mr. Allan present an overview of the information. Costs of the recycling process are based on processing costs at the time the contract was executed. Internally, Casella is working diligently to provide a better-recycled product to their buyers, but this is dependent on the quality of the recycling done by the residents. Because this is a commodity issue, the only piece that Casella can control is the amount of contamination in the recycling material. This fact is reiterated several times throughout the discussion. Mixed paper is the largest quantity of recycling and has the highest contamination rate. There are some hopeful signs of improved paper recycling. Two Chinese companies have purchased two old paper mills in northern Maine. There is hope this is to process more recycled paper. Mr. Allan and Mr. Groshon clearly explained the Chinese are not "recycling paper" but rather they are in the business of *making paper*, and choose to use recycled paper vs. pulp for their product. The Casella reps also discuss their new "Recycle Better" campaign to reduce the amount of residue waste. They conducted two audits for weight and volume of Danville recycling this past fall. The "Tuesday" route had 18.6% contamination rate, just above the 16% average seen at the recycling plant. The "Wednesday" route had a 23.5% contamination rate. This led to extensive discussion with both the BOS and some members of the public in attendance about better ways of ensuring correct recycling. Both Mr. Allan and Mr. Groshon agreed better education and a more direct enforcement of recycling would lead to a lower contamination rate. Ideas for better communication of appropriate recycling and education included providing lists of what can and can't be recycled that will be posted on several town websites and social media accounts, providing a presentation at the 2019 Old Home Day about correct recycling, providing anecdotal samples of both good and bad recycling. There was also extensive discussion about "wishful" recycling, how many items are marked as recyclable, but are not accepted in Casella's program. Mr. Allan and Mr. Groshon ended their discussion reminding everyone that recycling needs to be cleaner in order for it to be sustainable. They will provide Patty and Janet with the recycling lists so the town can initiate its own education /information campaign.

II. Budget

Police Department Budget: Chief Parsons presented the FY2019 #4210.10 Police Dept. budget for \$497,060 and reviewed each part of the budget with the BOS. The first item discussed is the open position for a Full-Time Police Officer. This position has been opened since the FY2018 budget was approved. He has recruited heavily at Granite State College, with few responses. Those that have responded have not done well on the mandatory testing. Chief Parsons states this issue is statewide. Even larger cities with higher pay scales are having difficulty recruiting new officers. He mentions changes in the retirement system as well as the difficult issues facing police officers on the streets as two of the impediments to recruiting new officers. He expressed gratitude that his current Part-Time Officer has been very flexible filling out schedules and coverage.

Kim Farah asks Chief Parsons if one of the current Officers is dedicated to the Administrative position. Chief Parsons affirms that. When asked why not fill that position with a civilian or a part-time officer, Chief Parsons explains his philosophy that having someone who is familiar with police procedures ensures a continuum of accuracy as well as ensures the safety of his officers when they are sent on a call. Ms. Farah states that in previous years there have been additional levels of supervisory officers within the Police Dept., but does not see this reflected in the budget of the current Dept. The BOS explains they support current philosophy of the Chief that the department is small enough for the Chief to provide direct supervision of his officers. In a later conversation, Dave states that 6-7 staff is the recognized standard for direct supervision, well within the number of Patrol Officers reporting directly to the Chief.

Chief Parsons discusses the fluctuating situation with prosecution the Department is working on. While Danville currently contracts with the Rockingham County Attorney's Office for prosecution, Danville and Plaistow are working together to find a more experienced prosecutor for their cases. Because there is no real knowledge of the costs of this, there may be overages in this budget line should this change be made.

Shawn made note of the fact that Chief Parsons had skipped his salary line during the discussion. This line was level-funded; despite the pre-approval of a 2.7% COLA increase. The Chief was clear it was more important for his

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officers to receive their step increases and COLA and he was trying to keep the increase in the budget to a minimum. The BOS discussed that while they understood and admired the Chief's fiscal restraint, by eliminating these small incremental increases, at some point there will be a need to "catch up" to keep the salary relevant. Patty tells the BOS the amount of the COLA increase is \$2,295. Shawn motioned to increase budget line #30 Police Chief by \$2,295 to the amount of \$87,295. Seconded by Judi. The vote is unanimous. Ms. Farah asks if the COLA increases are part of the default budget, particularly in light of the new RSAs regarding default budgets. Patty will check with Legal counsel for an answer for the BOS.

As the BOS reviewed the vehicle maintenance budget, they questioned the status of the current vehicles. Chief Parsons states the 2012 Charger has 180,000 miles on it. There was discussion regarding a capital account for vehicle replacement. Patty reminds the BOS that the funds from Special Detail are used to purchase vehicles. Upon checking, that account currently has \$35,394. The BOS feels comfortable that is close enough to the cost of a replacement so as not to affect the budget. Scott asks Chief Parsons that status of the truck. Chief Parsons states the truck was purchased in 2008 with an expected ten-year life span. The truck has low miles, but the body has serious rust and rot issues. Sheila asked if it was ever undercoated and Chief Parsons did not think so. After some short discussion, Scott suggests the Chief get some local estimates for repairing the body of the vehicle to try to extend its safety and usefulness.

Shawn motioned to accept #4210.10 for the amended amount of \$499,355. Seconded by Judi. Vote is unanimous. The BOS asks Chief Parsons for an update on the new station. Chief Parsons states they will have a FY2019 warrant ready for the spring. The Committee will have determined the location of the new station by the end of this year.

Sheila reminds the BOS the Animal Control Officer is no longer part of the Police Budget. It became an elected position after the passage of a warrant in 2018. However, there is no Animal Control Officer. She questions when and how a budget for the Animal Control Officer will be presented. Patty states that Legal Counsel advised her to level fund that budget. Chief Parsons states he can prepare a budget for the first three months of 2019 until Town Meeting is complete. Shawn asks if the Chief would instead prepare a budget for an entire year. The BOS will then extrapolate the costs for the Police Dept. for the first three months of 2019, and determine how to handle the remainder of FY2019.

 **#4210.10 Police Department- \$499,355**


Legal Budget: Patty presents the FY2019 #4153.10 Legal Budget for \$60,500. She explains that she had reduced the budget in anticipation that a current legal issue would be resolved by the end of this year. However, Shawn pointed out the possibility of an appeal and the need to fund that process. He suggested that the budget be level funded at \$70,500. Scott agreed. Sheila asked what the probability of an appeal was. Dave explained his observations in Court that led him to believe there was a great probability an appeal would be filed. Sheila motioned to amend #4153.10 to \$70,500. Seconded by Shawn. Vote is unanimous.


 **#4153.10 Legal- \$70,500**

III. Old/New Business

Minutes: The BOS reviewed the minutes from the Nov. 5, 2018 meeting. Sheila requested that the Scott's notes referred to in the minutes be attached as part of the minutes. Dave disagrees, stating the notes have been read aloud on the video and do not need to be attached to the minutes. There is no further discussion. Judi motioned to accept the minutes as presented. Seconded by Dave. Vote is unanimous.

Patty presents drafts of the Veteran's Tax Credit changes as discussed at the previous meeting. Shawn motioned to move forward with both warrants. Seconded by Sheila. Vote is unanimous.

 Shawn motioned for the BOS to recommend the Veteran's property Tax Credit Increase. Seconded by Sheila. Vote 4- yes, Dave abstained

 Shawn motioned for the BOS to recommend the Disabled Veteran's Property Tax Credit Increase. Seconded by Sheila. Vote is unanimous.

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Patty informs the BOS that during a discussion with NHMA regarding Warrant Articles, she was advised the BOS reserves the right to recommend/not recommend all warrant articles. However, the Budget Committee can only recommend/not recommend warrant articles that contain a dollar amount.

Scott opens discussion of the forester's report regarding damaged Elm trees at Elm Tree Farm. After clarifying these are indeed Elm trees and NOT Oak trees as referred to in the e-mail, the consensus of the BOS was to investigate the cost of removing the trees. The costs of this would come from acct #4130 Tax Lien expense. Dave would also like the BOS to initiate the process of getting rid of a piece of titled property that is currently on this land. Patty will write up the necessary paperwork for selling the item "as is" and receiving sealed bids.

Scott requests that the BOS consider closing Town Hall at noon on Wednesday, Nov. 21, 2018 for the Thanksgiving Holiday. The BOS approves by consensus.

Dave informs the BOS that at the last Budget Committee meeting a member of the budget committee stated that a selectman brought forth allegations of fraud and mismanagement. Dave asks if the Selectman had that data, why it was not brought to the attention of the BOS first. Scott states that this came to light as information received to fulfill a NH 91: A request. Emails from Selectman Sheila Johannesen to Budget Committee member George Manos regarding Recreation Committee funds. Dave stated the purpose of the discussion is to clarify that if any member of the BOS believes they have data that demonstrates fiscal irresponsibility it should be brought before the BOS first so that it could be addressed. Dave goes on to say that bringing this information forward in any other way casts doubt on the entire BOS, the Town Officers, and numerous Board and Committee members. Sheila responded by reading the e-mails between herself and Patty in which she (Sheila) requested the Recreation spreadsheets prior to the Recreation Budget discussion that evening. Patty informed her that Kathy Beattie, the Recreation Treasurer was on vacation and she could not get that information for the meeting that night.

Sheila then reads from the minutes of the October 15, 2018 BOS meeting - *the BOS goes through the budget with discussions regarding fundraising for the Fireworks, the need for certified timekeepers for Old Home Day. Sheila asks for clarification of who pays for the movie nights. Ms. Lang clarifies that the Recreation Committee pays for the movies, snacks, etc. The Police Association provides and maintains the screen. BOS discusses the current expenditures of the Recreation Committee. There is currently a surplus because Old Home Day was cancelled. Judi explains that a majority of expenditures will come at the end of the year with the holiday activities planned. There are further questions regarding fundraising for FY2018, however the Treasurer is on vacation. Patty will follow-up with Kathy upon her return.* Sheila repeats these same inquiries and responses as the e-mail. She then reminds Dave that he commented that it was a good practice to have the income numbers ready when going before the Budget Committee.

Patty stated that Sheila was confusing the Recreation Revolving Fund with the Town Recreation budget and vice versa. Patty states that in 2002, Warrant #28 established the Recreation Revolving fund. This fund resulting from income generated from programs, fundraising, donations, and fees and is allowed to accrue year after year. The Town Treasurer has custody of these funds. The Recreation Committee is authorized to expend those funds for recreational purposes. Patty emphasizes the Revolving Fund has nothing to do with the budget and nothing to do with the Budget Committee.

Sheila stated it took over a week to receive the information she requested (regarding the Recreation Revolving Fund). The BOS explain to Sheila that her actions regarding disseminating incomplete and misunderstood data was an unethical act and another example of her inability to work with the BOS. After further animated discussion, Judi requested a motion for Sheila's resignation as a Selectman for unethical behavior. The motion was not seconded. Dave questioned his effectiveness as the BOS representative on the Budget Committee and was reassured by the remaining members of the BOS that he was the person they wished to have represent the BOS on the Budget Committee.

IV. Signature File

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Scott brings the meeting back to order reading a letter received from the insurance inspector. The inspector expressed his appreciation with the progress made on all the issues he had noted from the first inspection. Many of the issues were completely resolved, and the remaining issues were clearly in the process of being resolved.

Shawn motioned for the Chair to sign the Cyber Liability and Privacy Renewal application and the supplemental application. Seconded by Sheila. Vote was unanimous.

Scott read a letter he received from the NH DOT regarding the Sandown Intersection with Rte. 111. The state and landowner have agreed to remove the trees and cut the banking back to increase visibility and safety. They are requesting a final approval from the BOS.

Shawn motioned to have the Chair sign the Porter Office Equipment Lease. Seconded by Judi. Vote was unanimous.



Dave asked Mr. Castine how long they Heritage Commission had been working on a Social Media Policy. Mr. Castine replied they had been working on it since January, pulling bits and pieces from other policies and using the information they had received through the training offered by NHMA. He stated the most difficult part was balancing intent with freedom of speech. Dave noted that a policy can help protect the town from accusations of bias should an issue arise. As Mr. Castine pointed out, social media is just another avenue where language can have a negative impact.

Scott mentions that the Senior Luncheon was a success. He expressed his gratitude to all that worked and volunteered to make that event successful, including getting the steps to the Community Center shoveled. Patty will be working on finding someone to keep the town buildings shoveled this winter. A note was made regarding the unused oil tank in the cellar of the Community Center and that it needed to be checked on and removed.


Judi observed that during the Library budget hearing in front of the Budget Committee, no mention was made of replacing the kitchen. Dave also noted that he had been told of a tripping hazard in the Children's Room due to insecure carpet. When a trustee was questioned regarding that issue, he was told that a remedy had not been budgeted for FY2019. The BOS expressed concern regarding the liability of not addressing that issue.

V. Town Announcements

Open Committee Seats:

-  Forestry: 1 open seat and 1 alternate
-  Heritage: 1 alternate

Recreation Dept.

-  Parents Night Out: December 1 or December 15
6:00PM- 9:00PM

There being no further discussion, Scott requests adjournment. Judi motioned to adjourn. Seconded by Sheila. Vote was unanimous. Meeting adjourned at 9:

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

Respectfully Submitted
Deborah A. Christie