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Approved 1/28/19

Town of Danville
Board of Selectmen
January 14, 2019
7:00 PM

7:00 PM; Meeting is Video-Recorded

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

Others Present: Patricia Shogren, Town Administrator; Members of the public: Jim Castine Heritage Commission Chair; Carol Baird, Heritage Commission Vice-Chair; Josh Horns, Steve Woitkun, Fire Chief; David Cogswell, Katelyn Ryan, Camera Operator, Jacob Current, Camera Operator

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 to accept FEMA funds

Dave make the motion, seconded by Judi, to open the public hearing to accept FEMA funds; motion passed. Scott explained that FEMA funds were received for the snow storm in March of 2018 that occurred during our elections. He opened the meeting to the public, there were no questions and no further discussion. Dave made the motion, seconded by Judi to close the public hearing; motion passed. Dave made the motion, seconded by Sheila, to accept the FEMA funds received of \$27,138.10; motion passed.

II. Delegates – none

III. New Business

Heritage Commission: Information regarding a Historic Easement: Jim addressed the board and asked if there were any specific questions the board had regarding the material and information, he emailed out earlier. Dave had several questions but was most interested to know if the land and house had to be under the same easement.

Carol Baird explains that an easement would guide the destiny of the property in the future, provide preservation benefits for a significant amount of land if there were development restrictions included, and would save a historical landmark. Dave expressed concern of the IRS or DOJ selling the land out from under them. Ms. Baird suggested that having state agencies such as NH Preservation or NHDHR involved could help with a fight with the federal agencies

Jim Castine reiterates that any decision needs to be based on ultimately what are the town interests. Would it be best to have a quick sell with attached easements, or should the town hold onto the property. Due to the fact the house is on the National Register of Historic Buildings, an easement would provide more opportunity for grants to restore the property. There are a number of pros and cons to be considered. Scott and Dave thank Jim and Carol for their research and information, noting that it provided more options than they originally expected. Jim strongly urges the BOS to turn the issue into a Town Project and get the community invested in the process. The BOS agrees.

Home Business Application: JR Leasing of 34 Colby Rd has submitted an application for a home business to consist of office and clerical work. The owner has been injured in an accident and is unable to attend the BOS meeting. Most of the business is actually conducted in Brentwood; however, the address of the business is the owner's home address in Danville. The vehicles used in the business need to be registered using the Danville address. After a short discussion regarding the issue of where the vehicles are actually stored, Dave motioned to accept the application on the condition that business vehicles and customers would not be using the Danville address as noted on the application. Seconded by Judi. Vote is unanimous.

Warrant Article 2019-13 Addition to the Safety Complex

To see if the Town of Danville will vote to raise and appropriate the sum of Three Hundred Seventy-Six Thousand Seven Hundred Fifty Dollars (\$376,750) to construct a 20ft x 80ft additions to the existing Safety Complex facility to house equipment, vehicles, and a maintenance bay.

The BOS is surprised at the cost of this addition. There is discussion of several other less expensive options that may work short-term. The issue is the loss of boat storage on the Red Schoolhouse property. Dave notes that there has not yet been a vote to request the removal of that equipment. The BOS discusses the option of re-writing the warrant. Ultimately, it is decided to leave the warrant as written for discussion at the deliberative session.

- ✚ Dave motioned to move the warrant article forward. Seconded by Judi. Vote is 3 yes, 1 no. Sheila voted no. Motion passes.
- ✚ Dave motioned to recommend the warrant article. Seconded by Judi. Vote is 0 yes, 4 no. (0-4)
- ✚ Warrant Article is **not** recommended by the BOS.

Warrant Article 2019-14: Build Highway Sand/Salt Shed

To see if the Town of Danville will vote to raise and appropriate the sum of Two Hundred Ninety-five Thousand Eight Hundred Dollars (\$295,800) of which Two Hundred Thousand Dollars Eight Hundred Dollars (\$254,800) will be withdrawn from the Highway Sand/Salt Storage Building Capital Reserve Fund and Forty Thousand (\$40,000) to be raised by taxes to build a future EPA required Sand and Salt Shed. [this amount was corrected to \$41,000 - sic].

Patty notes the written amount for the withdrawal need to be corrected to read ***Two Hundred Fifty-four Thousand Eight Hundred Dollars*** to match the numerical amount.

- ✚ Judi motioned to move the Warrant Article forward as corrected. Seconded by Dave. Vote is unanimous.
- ✚ Judi motioned to recommend the Warrant Article. Seconded by Dave. Vote is unanimous. (4-0)
- ✚ Warrant Article 2019-14 is recommended by the BOS.

Dave notes that site work for this shed can be done at the same time the site work is being completed for the new Police Station as they are on the same lot.

Warrant Article 2019-15: Highway Sand/Salt Storage Building Capital Reserve Fund

If Warrant Article 2019-13 fails, to see if the Town of Danville will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be added to the Highway Sand/Salt Storage Building Capital Reserve Fund to fulfill a future EPA requirement for storm water management.

- ✚ Dave motioned to move this Warrant Article Forward. Seconded by Judi. Vote is unanimous
- ✚ Scott questions if it is necessary for the BOS to recommend this article as it is a default from 2019-14. After a short discussion, Dave motioned to recommend this Warrant Article. Seconded by Judi. Vote is unanimous. (4-0)
- ✚ Warrant Article 2019-15 is recommended by the BOS

Article 2019-31: Citizen Petition- Direct the Board of Selectmen and the Chief of Police regarding the Animal Control Position

To see if the Town (Danville, New Hampshire) will vote to dissolve the elected Animal Control Position and assign all Animal Control Officer duties to be administered under the direction of the Chief of Police.

- ✚ There is no discussion on this article.
- ✚ Dave motioned to recommend this article. Seconded by Judi.
- ✚ Vote is 3 yes, 1 abstention. Sheila abstained. (3-0-1) Motion carries
- ✚ Article 2019-31 is recommended by the BOS.

Article 2019-32: Citizen Petition- Re-establish the Compensation for the Elected Animal Control Officer

To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (\$4000) as a stipend for the Elected Animal Control Officer position

Scott confirms with Shelia this is her petition and questions why it was submitted when the BOS has already written and recommended a similar Warrant Article. Sheila responds that as a citizen she has a right to put forth this petition. She states than an earlier e-mail from the NHMA states the Elected Animal Control Officer position should be paid as a stipend and that when the Animal Control Officer was previously an elected position it was compensated as a stipend.

Dave asks if Sheila understands the difference between her Article and the Warrant Article from the BOS. Sheila states the difference is the BOS Warrant Article is worded to pay \$25.00 per call up to a limit of \$4000. Sheila expresses concern that if the Animal Control Officer is paid per call, they will reach the \$4000 limit before the end of the fiscal year. The Animal Control Officer would then be responding to calls with no further reimbursement.

Dave states that he had been told by a Community member that member's understanding of the Citizen's Petition was that it was the SAME as the BOS Warrant Article, but that signatures were needed to keep it on the ballot. Dave tried to explain to that member they had been misdirected with the wrong information, however, that member reassured him this was their understanding of the petition. Dave expresses concern that this misinformation has continued to be passed along.

Scott expresses his concern that both Articles could pass, creating a legal issue. Scott motioned to withdraw the BOS Warrant Article for compensation for the Animal Control position. Seconded by Judi. There is further discussion.

Dave expresses his concern the BOS Warrant Article provides and accountability for compensating the Animal Control Officer position. The Citizen's Article does not. There is also the possibility that both Articles could fail, resulting in no compensation for the Animal Control Position. Dave is also concerned that if the BOS withdraws its Warrant Article, the public could interpret it as the BOS not supporting the Animal Control Officer position.

Scott explains that he made the motion to withdraw the BOS Warrant Article, so the two Articles do not contradict each other. His example is if both Articles pass, does that mean the ACO will be paid \$8000- because both Articles authorize a \$4000 payment.

Dave reminds the BOS the Deliberative Session can be used to change both the wording and the amount in the Articles. He suggests that both Articles may be reduced to \$2000. However, if one Article fails, that would mean the ACO compensation would only be \$2000.

Sheila explains that whether the compensation is paid per call or as a stipend, the process of accounting remains the same. The calls would be coming through and documented through Rockingham Dispatch. Judi questions why the petition. Sheila explains that a stipend is paid monthly regardless of the number of calls made that month.

Discussion circles around to the history of the elected ACO position. Scott calls for a vote on the motion to withdraw. Vote is unanimous. The BOS will withdraw their Warrant Article for the Compensation of the elected Animal Control Officer position. Dave wants to reiterate to the public that this does NOT mean the BOS does not support the ACO position, but rather because of the conflict created with the Citizen's Petition, the discussion for compensation and accountability must be addressed at the Deliberative Session.

- ✚ Dave motioned to recommend the Citizen's Petition for \$4000, with further discussion on the issue at the Deliberative Session.
- ✚ Seconded by Sheila.
- ✚ Scott states that he cannot recommend the Petition.
- ✚ Final vote on the Citizen Petition #32: Dave- yes, Scott- no, Judi- no, Sheila abstained. (1-2-1)
- ✚ Article 2019-32 is **not** recommended by the BOS

Article 2019-33: Citizen Petition-

To see if the Town will vote to raise and appropriate \$15,760 to provide Health/Dental benefits to the Town Clerk. 15% to be paid by the Town Clerk as according to Town Policy. To be effective immediately following the Town Election and Health/Dental to be provided yearly thereafter.

Dave asks Patty if this Article has been reviewed by Counsel. Patty states it is a Citizen's Petition, so probably not. Dave questions the wording of the article. Patty thinks the wording was used from another Town's similar article. Patty expresses concern the wording implies the 15% is 15% of the \$15,760 to be raised, rather than 15% **in addition** to the \$15,760 requested. Dave expresses concern the dollar amount is static and cannot change as insurance rates change. Scott expresses great concern how the entire petition is worded, commenting that it needs a lot of work. Fire Chief Woitkun asks the BOS to confirm that the Town Clerk does not get insurance because it is an elected position. He notes the Road Agent is also an elected position and does not get insurance from the Town. Dave explains that elected positions' compensation package is voted on by the legislative body (e: g: the Town) on an individual basis and must be voted on separately. The BOS points out that any elected official can participate in the Town's group insurance but must pay 100% of that rate.

- ✚ Dave motioned to recommend Citizen Petition #33. Seconded by Scott
- ✚ Discussion: Dave cannot support the Petition as written. Scott expresses concern that this petition could open additional expenses for the town if more elected officials began to request the same insurance coverage.
- ✚ Vote: 0 yes, 4 no. (0-4)
- ✚ Article 2019-33 is **not** recommended by the BOS

Annual Maintenance Agreement for CAI (Cartographic). Scott reads portions of the agreement. Maps/GIS maintenance services- \$1200....Building footprints- if building sketches provided as described above- \$15.00/building added or changed. No additional charge if property record cards are not provided.... Written consent for requested mapping services. The BOS expresses confusion of the services requested. Patty states her impression was this was for new development- buildings and mapping services. Dave suggests that this matter be tabled until Janet can be present to explain the contract. Consensus of the BOS to table this item until the next

meeting. Sheila and Dave express concern over existing property record cards. If this were for new construction, Dave would like to recoup these expenses through building application fees.

Default Budget Corrections: Patty reviews the Budget Summary Sheet with the BOS.

- ✚ **Line #4411.10- Health Officer:** Patty notes a correction on this line. The BOS approved \$843, but the Budget Committee shows the amount as \$1028. Patty has corrected the amount in the Default Budget to \$843 but needs BOS approval. Dave motioned to change line #4411.10 Health Officer to \$843 for the year instead of \$1028. Seconded by Judi. Vote is unanimous. Dave and Patty will forward this change at the next Budget Committee meeting.
- ✚ **Line #4611- Conservation and Milfoil:** Patty notes the extra \$5000 requested by the Long Pond Association has been carried into the Default Budget. It is not a contracted service, so that amount must be reduced to the original \$15,042. Dave motioned to change #4611 to \$15,042 in the Default Budget. Seconded by Judi. Vote is unanimous.
- ✚ All other Default Budget corrections were discussed at the previous meeting
- ✚ Corrected Default Budget total is \$3,259,471. Sheila motioned to accept this amount as the total of the Default Budget. Seconded by Judi. Vote is unanimous.

Minutes: There are several corrections noted in the minutes:

- ✚ Date of the minutes is incorrect. Patty explained she uses a template and forgot to change the date.
- ✚ Line #49- Dave has never contacted the NHMA but is aware of and disagrees with the interpretation of the phraseology.
- ✚ Line #57- records a Default Budget Amount of \$2,746,550. The BOS questions if that is correct but notes the Default Budget amount has been corrected at this meeting.

This leads to a tangent discussion regarding the amount reflected in the Default Budget for #4323.10 Waste Recycling. Dave believes he recalls a discussion with Shawn at a previous meeting regarding the ongoing increase in recycling costs and that \$30,000 was added to the budget for those costs. Other BOS members vaguely remember the discussion, but believe it was at the meeting when the recording equipment failed. Regardless of the outcome of that discussion, the amount of the current contract in the Default Budget is incorrect and should reflect the FY2018 contract cost of \$340,279. This will again change the total in the FY2019 Default Budget. Dave also asks for clarification of the inclusion of the second bulk pick-up in the Default Budget. Patty explains the second bulk pick-up was added in when the warrant article was approved, but only approved for FY2018 and therefore cannot be included in the FY2019 Default Budget unless the 2019 Warrant Article for the second bulk pick-up is approved.

- ✚ Dave motioned to accept the correction to **#4323.10 Waste Management to \$340,279**. Seconded by Judi. Vote is unanimous
- ✚ Dave motioned to accept the minutes as corrected. Seconded by Judi. Vote is unanimous
- ✚ Dave motioned to accept the corrected total of the **Default Budget to \$3,287,246**. Seconded by Judi. Vote is unanimous.

Scott received an e-mail from Janet stating that Casella is requesting bulk pick-up dates so they can print their fliers. He recalled that the BOS had requested that Casella let the Town know when trucks would be available for the first bulk pick-up. He also noted the second bulk pick-up cannot be scheduled until the Town Warrant authorizing the funding is approved. Patty notes the BOS had also discussed moving the spring bulk pick-up from April to May. Scott requests that Patty communicates to Janet and to Casella, the BOS wishes to wait before scheduling the Bulk pick-up dates until after Town Elections and Voting.



Dave has heard there are no longer any openings on the Forestry Commission. He was given the names of several interested citizens. He noted the BOS has not signed off on any appointment paperwork. Patty will get the forms to Chrissy so the BOS can complete the appointment process before the Commission needs to vote on any agenda item.

Patty introduces Katelyn Ryan to the BOS. Katelyn is the new camera operator working with Jacob.




Sheila brings up an e-mail from Scott that was cc'd to all the BOS regarding the information needed to write the Town Report. She takes exception to the statement that she had refused to participate in that process, having explained her situation with her ill mother. Patty apologizes for not getting the information out to Scott. Sheila requests that she is only included in BOS e-mails if they pertain to meetings. She also states that any e-mails cc'd to members of the BOS that are responded to, constitute a meeting of the BOS. Scott notes that is not an accurate statement. Patty will get the "town highlights" out to Scott and Dave. Dave suggested that Judi add something about the progress of the new Police Station.

IV. Town Announcements:

Open Committee Seats:

-  Heritage- 1 alternate
-  Planning Board- 2 alternates

Important Voting Information for 2019

-  Deliberative Session: Saturday, Feb. 2, 2019 at the Community Center 10:00AM
 - o Snow Date: Sunday, Feb. 3, 2019 at the Community Center 1:00PM
-  Meet the Candidates: Tuesday, February 5, 2019 at the Community Center 7:00PM
-  Voting: Tuesday, March 12, 2019 at the Community Center 8:00AM-7:00PM

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

Meeting is adjourned at 8:50PM

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

Respectfully Submitted
Deborah A. Christie