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Town of Danville  
Board of Selectmen  
August 24, 2020  
7:00 PM

7:00 PM

Meeting is Video-Recorded

Selectmen Present: Shawn O'Neil, Chair; Steve Woitkun, Vice Chair; Sheila Johannesen, Dottie Billbrough, and Joshua Horns

Others Present: Kimberly Burnham, Selectmen Administrator; Bruce Caillouette, Road Agent; Chief Wade Parsons, Police Dept.; Carsten Springer, Conservation Commission; Matthew Flanders, Eversource; Elizabeth LaRocca, Eversource; Richard Perrin, US Census Bureau; Danville Residents as listed on the attendance list: Cindy Lavash- Beach Plain Rd; Sharon Hawkins- Beach Plain Rd.; Carleen Preble- Hampstead Rd.; David Smith- Main St.; Cathleen Smith- Main St.; David Acheson- Arbor Lane; Kelly Wood- Arbor Lane; Devon Boling- Olde Rd.

*(Important note: Due to technical issues with the video, unless members of the public identified themselves before speaking, it is not possible to identify individual speakers. While statements cannot be attributed to individual members of the public, all efforts have been made to accurately reflect the content of those statements made during discussion. -Deborah A. Christie, Transcriber)*

Shawn called the meeting to order at 7:00PM and 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**

No members of the public wished to address the BOS. Shawn closes the delegate session

***Paid Time Off (PTO) Update:*** Shawn asks if the BOS has heard back from Legal Counsel on this issue. Kim states there was some confusion regarding the current policy and what the Police Dept. was looking to do. Shawn responds the BOS was looking to have Legal Counsel update the current policy with the verbiage to allow an "exception" clause. Shawn tables the issue until there is clearer communication with Legal Counsel.

***Election Grants:*** Chris Tracy is not present to discuss this with the BOS

***Highway Dept Update:*** Mr. Caillouette informs the BOS states that he has found a part-time driver. Shawn reminds him that the necessary background and driver checks, etc. needs to be completed before the candidate can be officially hired and start working. Shawn confirms the candidate did not start work today and reiterates there is a process in place. Mr. Caillouette notes that he remembers being able to start a new hire several years ago prior to all the paperwork being done. Shawn notes that only the BOS can hire and fire. Mr. Caillouette notes that he was unaware of the policy changes made in 2017 and that all his previous hires did not require all that paperwork. He notes that he was going by the NH RSA that says he "shall employ the necessary people" and reiterates he was unaware of the policy changes. Mr. Caillouette states that the part-time candidate had filled out all the paperwork and he hopes it is in process. The candidate has not started work yet. Mr. Caillouette also notes that he has written a letter of recommendation as required by the new policy. Shawn suggests the Police Dept. will complete the background paperwork and get back to him (Mr. Caillouette) who can then present his recommendation to the BOS at the next meeting for approval.

Sheila expresses concern that the opening was not advertised and she believes it should be. Mr. Caillouette explains the candidate came looking for a job and had previously worked for one of the Town's contracted snow-plowers. He notes the candidate plowed snow in Town all last winter and did an awesome job. Candidate wants

to work part-time for now. Mr. Caillouette notes that the candidate also has a construction and plowing background and other experience as well. He explains the candidate came along before the opening was advertised. Sheila reiterates the position should be advertised. Shawn agrees, stating the process should remain consistent. Steve notes the BOS should be seeing resumes and references. Mr. Caillouette notes he has references from the candidate, but will request a resume. Shawn tells Mr. Caillouette that he needs to advertise the opening first. He can allow the candidate to be first in line, but it is not fair to anyone else who might want to apply for the position. Mr. Caillouette clarifies with Shawn that he will be advertising only for the part-time position. Shawn confirms this and states there will need to be discussion regarding the full-time position.

Steve notes he has finished the entire Road Agent package for the BOS to vote on at the end of the meeting. He suggests the BOS meet with Mr. Caillouette to go over the new contract and complete the process. Shawn asks that a Non-Public session with Mr. Caillouette be put on the next meeting's agenda.

**Kimball Terrace:** Mr. Caillouette has heard back from NH DOT and they will re-ditch both sides of Kimball Terrace. They will not put in a culvert or catch basin. He notes this will not solve the problem. Shawn agrees. Mr. Caillouette confirms for Sheila that he does not have the response in writing. He will call NHDOT back tomorrow and request their answer in writing. Shawn agrees that he wants the letter in order to address the issue "through other channels" because he believes the State is not addressing their responsibility. Joshua asks if the letter will give the NHDOT's reason for their refusal. Mr. Caillouette explains the need for the culvert is retroactive to a previous driveway installation that did not need a culvert at the time of construction. Now that the culvert is needed, the costs are the responsibility of the Town. Shawn asks for an estimate to install the culvert. Mr. Caillouette had done a quick estimate of approximately \$12,000. He notes the biggest expense was the required Police detail. Steve asks if anyone has applied for a driveway permit for 29 Olde Rd. Mr. Caillouette responds "no". Shawn states the BOS should think about addressing the Kimball Terrace issue. He notes the fighting could go on for years. Mr. Caillouette reminds the BOS that Dennis Quintal had looked at the issue and had come up with a plan. NH DOT has reviewed the plan and said they would accept it, so he (Mr. Caillouette) does have a basic plan to work with. Shawn asks Mr. Caillouette to cost out the plan and present it to the BOS so they can debate the merits and decide if they will move forward with the project, noting the BOS can still pursue the issue with the State, even if it means seeking reimbursement after the project is completed.

**Olde Rd.:** David Acheson addresses the BOS representing residents' concerns regarding a business on Olde Rd. He states there is concern regarding nature of the business being conducted and the hours of business being conducted are not within the parameters of approval. He gives examples such as anytime from 4:00AM on rock smashing, steel plate smashing, trucks idling on the side of 111-A. His understanding of the approved plan was that hours were 7:00AM-5:00PM. He states he also understands they were approved for a repair garage and sales business. Mr. Acheson states that it appears to him there is potentially clandestine trucking going on and there are also construction businesses. He notes that he is very concerned that if the issues continue, they will not be able to stop it.

Shawn asks if the residents had contacted the Police Dept. regarding the 4:00AM noise issues. Mr. Acheson has not, but another resident speaks up and states that he has. Shawn confirms there should be a police report record. Police Chief Parsons notes they have had some complaints but (unintelligible). Another resident adds that tractor-trailer trucks were not part of the approval at all and was never mentioned in any of the meetings they had seen or attended. She notes it is a large concern of hers as Olde Rd is a very old road, a family road and has a school bus stop on it. She continues that they (the business) are not doing what they were approved to do at all. She notes there have been months and months of building and all that has been completed is a foundation. She also reports issues with tractor-trailer trucks going in and out at 5:00AM-6:00AM with all the back-up sirens. Another resident notes the trucks have different company names.

Mr. Acheson reiterates he is very concerned with the nature of business going on there. He notes that truck drivers could be parking their vehicles there overnight, leaving early in the AM and that is not what they (the business) were approved for. He notes this would require a separate approval from the Town.

Steve notes his understanding is that from Olde Rd. south to Rte. 111-A is zoned for "heavy industrial". A resident agrees, but states the zoning does not include on Olde Rd, noting that road is only 20' wide. Another resident states he believes the zoning is actually for "commercial and light industrial", and not for "heavy industrial". Yet another resident states she believes there is a copy of by-laws that protect the citizens who live right near there. She states she believes there should be by-laws. Steve asks if the stipulation they are mentioning happened at the Planning Board stage. Mr. Acheson confirms the 7:00AM-5:00PM operating hours were stipulated at the Planning Board and that is on the plan. Mr. Acheson has a copy of the plan, and "he" said the next step is to talk to the BOS.

Shawn states this is the first time the BOS has heard of this issue. Shawn explains the BOS will need to get the plan and review it, discuss with the Planning Board to find out about it, review the Police Dept. reports to corroborate resident concerns. If it does prove to be an issue, the BOS would send a cease and desist order to the business and address the issue.

Carleen Preble asks if during this whole issue with Olde Rd. a traffic survey had been done because all of a sudden tractor-trailers are coming down Hampstead Rd, noting it is small road with people walking their dogs and kids. She notes the road is almost too narrow for two cars to pass each other and now they have 18-wheelers coming. She expresses her concern about large trucks being able to navigate curves, noting the road is not meant for 18-wheelers. Ms. Preble questions if a traffic study was done to state what the impact would be. Shawn notes she is getting into specifics of what the Planning Board requirements would have been and right now the BOS is not privy to that information. Ms. Preble states she went to the Planning Board last week and was told to come to the BOS. Shawn asks for clarification. Another resident states the Planning Board explained to them (the residents) that they had to come to the BOS because the BOS is the governing board and is the board who enforces the rules. Shawn confirms this information is true, but notes they (the BOS) need to come "up to speed" in order to make a "sound judgment". Shawn reiterates this is the first time he is hearing of the issue and confirms with the other members of the BOS that it is also their first time hearing of this issue.

Mr. Springer asks who is the BOS liaison to the Planning Board. Shawn confirms it is Steve. Sheila notes there is a sign on Hampstead Rd that states "No through Trucking". A resident notes that sign is only on the side of the road coming down Hampstead; there is no sign on the side of the road going up Hampstead Rd. The resident notes a second sign is needed along Channele. Shawn states he will ask "Kathy" to have Mr. Caillouette check into that and correct it on the Danville end. Sheila notes the existing sign should also be replaced, as it is very rusty.

Mr. Acheson notes he understands the area is zoned for light commercial and residents approved the business, but the business should run within the parameters of the approval. Shawn agrees and notes the BOS needs to do their homework. A resident noting a point of order, states this issue is coming to the BOS tonight because that building site has put in an application for an amendment to the site, so this became as an opportunity for abutters to engage with each other and bring these concerns forward.

A resident states they addressed the issues with the Planning Board, and during a site walk addressed the size of Olde Rd, which is only 20' wide. He notes this does not meet current residential development, which requires a 60' wide road. This 20' wide road is being used for heavy commercial traffic. He notes he brought it up to the Planning Board and was ignored. The Planning Board then gave them (the business) a permit to use that road. He notes that he has since talked to the State and the State disagrees with that decision. Another resident states that now "they" are planning to widen the road. She states there is a local petition circulating stating the residents are against this.

Mr. Springer notes that someone asked about 20 Olde Rd. A resident confirms this. Mr. Springer explains that is also thirty (30) acres of commercial/light industrial zoned land, so this is something that will have to be dealt with for every farm on Olde Rd. and on both sides of Olde Rd. Mr. Springer notes that one side of Olde Rd. is zoned for commercial/light industrial and the other side is zoned for commercial. He explains that anyone on Olde Rd., working within the zoning regulations, can have a business on Olde Rd. A resident notes they cannot use Olde Rd. if it does not meet current standards. Mr. Springer acknowledges this and notes that is for the Planning Board to decide. He notes he was simply saying the BOS has a situation where the commercial/light industrial zone is

exempt. Mr. Springer states he was at the Planning Board meeting and there will be a continuation of the issues that was brought up. Steve will have a chance to hear everything at that point. A resident notes the Planning Board was trying to address the noise coming from the site, but can't address the noise once the trucks roll onto Olde Rd and that's what everyone is upset about; having Olde Rd. turn into a trucking lane and at only 20' wide, rumbling past people's houses which are very close to the road. He notes it will take 40' to make the road current and that would mean taking everyone's front yards by eminent domain. He states they are talking about an antiquated road originally designed as an old stagecoach road.

Mr. Springer notes the specifics of widening the road would need a conversation with the Road Agent and other people for road specifics. Shawn responds they (the residents) have presented the issue to the BOS, so they (the BOS) will do some research and discussion with the Planning Board to figure out what is going on, along with reviewing the police reports as well. Shawn asks Police Chief Parsons to forward any police reports to the BOS.

Another resident asks who signs off on an exemption for noise. There is discussion regarding the noise ordinance pertaining to businesses and the hours. Another resident asks if there are any by-laws that protect residents and asks for research on that. Shawn explains the "town by-laws" are the zoning laws. A third resident explains he had "an excavator dropping rocks in a 100,000 lb. dump truck and hauling them off-site at 4:45AM." He called Police Chief Parsons and the person explained that he had been authorized a time exception so he did not have to comply with the Towns' noise ordinance because he had gotten an exemption. The resident reiterates his question as to who signs off on an exemption. Shawn states that he does not even know if that is possible. He notes the Police Dept. can only write up a report, but will not be the ones enforcing it because it is a Town zoning issue and is not criminal. Shawn again notes this is why the BOS need to do their homework, and states he does agree with the spirit of the noise ordinance.

A resident clarifies that the BOS would need to investigate the claims to make a determination as to how this would impact their building permits, etc. He asks if there is a timeline for the process, noting concern with the recent notification the business owner is seeking to amend their building plan and the next Planning Board meeting is Sept. 10. He asks if the BOS have the ability to put all changes on hold until they have completed their investigation; or can they (the business) proceed to make changes to their plans during the investigation. Shawn explains the BOS does not have authority to stop the Planning Board process. Steve asks how they (the business) are amending their plan. The resident states he has a copy of the new plan and the business is looking to add a semi-truck driveway at the corner where Main St. and Olde Rd. meet; because in the course of developing the property, the owner has realized the road is too narrow and he can't get trucks in and out of there as he had originally designed the plan.

Shawn believes that after tonight's meeting, the issue will be well known throughout the community and the Planning Board will be well aware of the residents' concerns. He again asks for time for the BOS to get the information together. Steve suggests residents continue to call the Police Dept. so there is documentation of violations of the 7:00AM rule. Joshua asks if the business property has frontage on Main Street. A resident confirms that it does and that is what the amendment is for, noting it will cost the owner "a ton of money".

Mr. Springer calls a point of order noting the Planning Board Chair was very careful not to go into the area of a public hearing without notice and continued the meeting so that everybody had an opportunity, including a presentation of the plan and that he (the Chair) did that in fairness to the Town, the people, and from the litigation standpoint. Mr. Springer wonders if the discussion has gone too far. There is further discussion.

Shawn notes the BOS cannot go further until they do their research. A resident notes he just wants to make notice that trucks on that road are a safety issue. Another resident wants to know where the plan is to approve. She notes there is an easement there for Danville Chanelle and that was their parking. Shawn clarifies all that is documented and part of the records. He notes that nothing new can come out of the discussion and closes the discussion.

**Census Update:** Richard Perrin addresses the BOS regarding the status of the Census in NH. He identifies himself as a Census Specialist at the US Census Bureau in Rockingham County. His job is to visit towns and explain the Census- what it is, why it is, and why it is important. He notes the deadline has been extended to September due to the COVID crisis. Mr. Perrin explains the Census survey only takes 5-6 minutes to complete. He has passed out information packets to the attendees of the BOS meeting and the BOS that contains his contact information. Mr. Perrin explains the online website for the Census is at [www.2020census.gov](http://www.2020census.gov), to complete the Census by phone [1-844-330-2020](tel:1-844-330-2020). There are twelve (12) languages available on the phone and fifty-nine (59) languages available online. Mr. Perrin reassures that answers provided on the Census are confidential. He explains that Census workers must take an oath that they will not share any information. Any violations can result in a 5-year prison sentence and up to a \$250,000 fine. He also notes the following important information: ***no Census survey will ask for anything except the numbers. They will NEVER ask for any social security numbers, no money, no donations, nor credit or debit card information and there are no citizenship questions.*** Mr. Perrin explains that NH could get up to \$3B in Census dollars, the higher the count, the more money the State will receive. He notes that he has left extra packets for the Police Dept. to share. Mr. Perrin emphasizes that an accurate count can result in more local dollars for schools, sports, bridges, lunch programs, roads, SNAP and Senior services. The current Census completion rate in NH is 64.3%. The National completion rate is 64.4% and Danville's completion rate is 71.6%. Danville is #55 in the state out of 234 towns. He will provide a Census media kit to the Town that has videos, response rates, maps and other promotional material that is available such as road signs. There are some questions and discussion from the public. Mr. Perrin asks directions to Olde Rd. Shawn thanks him for sharing his information.

**Police Dept PTO Update:** Shawn asks Chief Parsons if he is on the agenda to speak to the BOS. Chief Parsons responds that he was there if there were any questions on the Paid Time Off (PTO) policy. Shawn notes he believes the BOS is fine, and notes the issue is "generating the verbiage in the policy to mimic the reality of what the BOS is trying to accomplish." Shawn notes that Legal Counsel brought up some different issues the BOS might want to address and explains they need to work with Legal, but will definitely review the policy with the Chief when it is done. Shawn reassures Chief Parsons the BOS is "on board" with what he (the Chief) is trying to do and the BOS is just "wordsmithing" the policy.

**Eversource Access Update:** Kim informs the BOS that Eversource is present at the meeting in regards to the Temporary Access Permit they have requested. Shawn notes that he has not received feedback from the Conservation Commission or the Forestry Committee. Kim explains that Carsten Springer is present, representing the Conservation Commission.

Mr. Springer notes that two other people "Bobby" Loree and Chip Current were unable to attend. Mr. Springer explains that Eversource's access request went through the Planning Board at last week's meeting. He believes the letter from the Planning Board captured the responses from the Conservation Commission and the Forestry Committee and he did not see "any sense in burying you guys in extra stuff that was saying the same thing." He notes the motion from the Planning Board *"We want Eversource to work with the BOS to establish access either permanent or temporary. Failing that, they have permission to come in from the Sandown direction which means they're going to do a long access point through a lot of timber and wetlands."*

Shawn questions the recent issue of locks being changed. Mr. Springer notes it was mentioned at the Planning Board, but was in the hands of the BOS. Shawn notes that they cannot have entities changing locks. Ms. LaRocca apologizes to the BOS and explains the person who did that was not authorized to do it. She explains that when Mr. Springer called her, she called the project manager who went out and changed the lock, giving Mr. Springer and Kim the combination. Ms. LaRocca reiterates the issue should not have happened and again apologizes to the BOS. Mr. Springer explains what happened. He states that essentially there was a lock exchanged so Eversource could have access, and the BOS Office and Police Dept had keys, but the Conservation Commission was unaware of this. When they and Forestry tried to go in for maintenance, there was no access. That night when they met with the Planning Board, all the old keys were turned in and a new lock was installed with a combination everyone knew. Ms. LaRocca notes that while the issue has been resolved, it was unfair to the Town. She also notes that Eversource had access to the Town's lock when going through GH Carter Dr. when they (Eversource) brought in

bidders for the structure project. She explains that Eversource met with the Planning Board on Aug. 13. The Planning Board made the motion quoted above and sent a letter recommending and authorizing the BOS to enter into a Temporary Access Permit with Eversource. She states that if Eversource gets authorization, they can access through GH Carter Dr. and this will allow them to access five (5) of the ten (10) structures they need to replace and will allow Eversource to avoid going through fourteen (14) stands of right-of way which includes several wetland crossings. She notes Eversource knows the Town's Conservation and Forestry do not like the methods that Eversource uses to cross wetlands. She explains Eversource uses timber mats and this has been a bone of contention with the two committees. Mr. Springer explains the use of the timber mats is occurring every 2-3 years and they (Conservation & Forestry) do not consider them temporary. Shawn notes that is an issue the BOS has to address, he believes temporary access is more like once every twenty (20) years and Eversource is coming in more frequently. Ms. LaRocca agrees.

Shawn states the BOS needs to look at the Temporary Access Permit as more of a proposal because at this point the Town is giving up rights by allowing Eversource to have easy access to maintain their structures. Shawn notes it is as if the Town is granting Eversource an easement and the Town should be properly compensated for that. Consequently, the BOS would like to have Eversource generate a proposal for the BOS to consider. Shawn asks Mr. Springer if Conservation and Forestry are in support of the Planning Board recommendations so the BOS can "generate a conditional permit tonight granting temporary access with conditions that Eversource is going to be seeking, in good faith, a permanent wetlands crossing agreement with easements and so forth and with monetary compensation for such".

Mr. Springer notes this ties in with having emergency access at the northern end of the Town Forest for the Fire and Police departments because there is a large wetlands crossing up there. He explains that when Eversource is allowed access at the southern end, they can avoid the wetland crossing at the northern end. Mr. Springer notes the wetlands at the northern end have been an issue at least three (3) times since 2010. He notes Conservation vehemently wants to get that northern crossing established. He explains that Ms. LaRocca worked with Forestry a few years ago to get a Community Grant so that Forestry was able to properly permanently permit three (3) crossings and establish those so Eversource and Conservation/Forestry will not have to worry about impacting those wetlands again. He notes the northern wetland crossing is bigger than Conservation/Forestry can do. He asks that whatever is left in the southern end, Conservation would like to see it tied to addressing the northern crossing. If the BOS decides, Eversource needs to get their project started by Sept. 7 and it might make more sense for the BOS to issue a temporary permit. Mr. Springer notes he is not too certain about a permanent right-of-way on that road, and certainly not without tying it to a permanent crossing at the northern end of the Town Forest.

Shawn states that he believes the BOS should be addressing all these temporary crossings that are really not temporary. Eversource is using that as a tool to get access to "it" for maintenance. He reiterates he believes that spirit of "temporary" was to go in every twenty (20) years, not every 2-3 years. If access is on a more frequent basis- it really is not a temporary crossing, it is a permanent crossing and should be dealt with by a permanent structure. Shawn notes he is comfortable supporting a temporary wetland crossing issue right now with an attachment that a permanent wetland crossing will be put into place and negotiations for that to happen in good faith. Mr. Flanders, Eversource Project Manager, notes the temporary access Eversource is seeking tonight does not cross wetlands, it is off the ball fields, down a road that avoids the wetlands. He explains that both temporary and permanent access permissions Eversource is requesting is for this area.

Shawn notes that he would like to go the "permanent route". Mr. Flanders asks if the BOS would go temporary and kick off discussions regarding permanent access at the next meeting. Ms. LaRocca states that she has gone through Eversource Real Estate and has their valuation. She notes that Eversource's position is they would like the BOS to grant the Temporary Access Permit tonight to access through GH Carter Dr. and avoid the wetlands. This will give them access to five (5) of the ten (10) structures. It is Eversource's intention to give the Town funding to enter into a permanent access agreement and notes this will be a real estate transaction. Ms. LaRocca notes that Mr. Springer is asking the BOS to earmark those funds for what he needs to do at the northern wetlands. Shawn agrees and states that he supports a lot of what the Conservation Commission has done. He notes that is an issue the BOS would have to decide. Multiple people join the discussion. Shawn explains the BOS may need to tie

funding in with a Town vote to support that decision. He also notes this is not an Eversource issue, but is a Town/Conservation Commission and people of Danville issue.

Ms. LaRocca continues explaining that Eversource wants to say that they are willing and expects that a permanent access agreement will result in paying the Town funds for a real estate transaction. But tonight's request is for the Temporary Access Permit.

Joshua states that he is not inclined to want to see a real estate transaction. Shawn notes the BOS would be granting Eversource an easement to access the corridor so that in the future they would not have to come to the BOS to get permits for access every time. Because if they can, they would like to go through Town land and the gate, noting that they currently only have access through GH Carter Dr. and that does require access through wetlands. This is a better approach for everybody. Joshua explains that on his personal property, which is 600' back from the road, he had the option of high voltage lines from the road to his house if he would grant Eversource an easement. However, this would result in his the loss of his ability to do some things on his land without permission from Eversource and this is where his concern is coming from. Shawn explains the BOS would be able to put in stipulations at the time of the agreement. He notes the Town has the ability to dictate the terms and if the agreement does not meet what the BOS likes and agrees to, the only recourse for Eversource is to continue to return for temporary access permission. He reminds the BOS they have the final say.

Steve confirms that Eversource is saving tens, hundreds of thousands of dollars by not having to go directly off GH Carter Dr. and by not needing timber mats, etc. He asks what the Town is gaining by granting temporary access. Mr. Springer asks the same question. Shawn states he believes a carefully worded motion granting that the temporary access is only valid while in the negotiations phase and can be revoked by the BOS. Steve suggests that Eversource could "play" the BOS and do the whole project. He suggests the BOS assess a fee to grant the Temporary Access Permit and be done with it and then move on to permanent access negotiations. He again notes the Temporary Access Permit is saving Eversource a lot of money. Shawn states that once Eversource generates the offer, it would be very fair and realistic because if not the BOS would revoke the Temporary Access Permit. Shawn notes he has had good experiences working with Eversource and easements. He notes there are some of the usual "hiccups" but nothing that he felt that was done in bad faith and that he has been working with Ms. LaRocca a long time.

Joshua remarks that he believes he saw something about replacing two culverts. Mr. Springer states that Kim has the language referring to the gate Eversource is installing down by the ball fields and the culvert the Town installed down there. Eversource would replace the culvert and fix the gate, because the current gate does not allow a fire truck to go through there. Eversource has committed to doing that and will do it either way because it has to be done. Mr. Springer states he would like to propose, addressing Steve's concerns, to charge Eversource appropriately for temporary access for this project, with a certain start and finish date and then separately discuss permanent access. He feels that tying both together will slow down Eversource and causes problems relative to counter because Eversource is supposed to be starting Sept. 7. Mr. Springer explains he is suggesting this because the money that Eversource can provide to the Town could be put to very good use by putting it towards the northern wetlands crossing. He notes that the northern crossing is going to be a very expensive crossing. Mr. Springer notes that Steve is very familiar with the need to build the road to Town standards without paving, making it wide enough for emergency vehicles, fire apparatus and concrete pipes, that this is a "very substantial build". He notes the Town has the material up there. Mr. Springer reiterates his proposal as: **a)** what is Eversource willing to put forward for temporary access to save them money, and **b)** work on future access.

Shawn agrees it seems like a sound way of approaching the issue. Ms. LaRocca states that Eversource's policy is to not pay for a temporary access agreements. They will however pay for permanent access agreements. Mr. Springer notes this policy should have been made known before three boards spent time on this issue. Ms. LaRocca apologizes saying she thought she had said that at previous meetings. She states that Eversource would like the BOS to grant temporary access tonight so they can get in there to get five (5) out of the ten (10) structures done without having to access the wetlands too much. But, Eversource also has all intention of negotiating in good faith with the BOS for a permanent agreement because they have five (5) transmission lines in town, three (3) of

which go through the Town Forest and every structure costs \$200,000 to replace. She explains Eversource does not have the money to replace all the structures in NH, so they test and inspect and that means they are coming back repeatedly. She notes Eversource never had this program until about 2012-2015. She notes that in the last five years, Eversource has spent almost \$1.75B in the state of NH on replacing infrastructure and this is why Eversource has established this policy of not paying for temporary access, but being willing to negotiate and pay for permanent access.

Shawn asks how soon Eversource could generate their proposal. He asks if it would be fair to ask to have the proposal in hand by the close of business on Friday. Ms. LaRocca believes they can do that. Shawn notes that would be the condition put on the approval of the Temporary Access Permit- that it would be contingent on the BOS receiving that first proposal. He reiterates this is saving Eversource a lot of money with little-to-no cost to the Town by using the trail to the gate. There is discussion of the needed range of dates for the project. Ms. LaRocca states she believes the project will be done by the end of 2020. Mr. Flanders notes this is a small project. Mr. Springer asks if Eversource ever paid for temporary access in NH. Ms. LaRocca responds that she does not know, that Eversource has, but was told the policy was that Eversource does not do that. Mr. Springer expresses that it is "extremely disconcerting to him that three boards over the last 5-6 weeks are just hearing about this policy now." He states it "should have been made manifestly clear at least three (3) weeks ago." He notes that Conservation, Forestry, and Planning Board worked on this and from his perspective, it was not done in good faith.

Shawn reiterates his suggestion of granting temporary access with the condition that the BOS have the first proposal for permanent access by the close of business on Friday, Aug. 28. The BOS will review the proposal at the next BOS meeting in two (2) weeks and has the ability to revoke the permit at that time. Steve confirms the BOS can revoke the temporary permit after seeing the permanent access proposal. Shawn reminds him that Eversource has to present something fair to start. If the BOS felt that the proposal was way off, the BOS could revoke the conditional access. Sheila asks if Eversource would start before the BOS can review the permanent agreement. Shawn reminds her that if the BOS revokes the temporary access, Eversource would have to stop in the middle of the project because they would not be able to use that entrance and would have to deal with coming across wetlands. Mr. Springer notes the Town could change the lock. Shawn notes this option gives both parties some assurances of where they are going. He is supporting Eversource but they have to come back with a good faith proposal and if that does not happen, the BOS can and will revoke the temporary access. Joshua asks for a recap and states his understanding is that this is needed electrical infrastructure and he is not looking to block that. He confirms the BOS will be getting a starting proposal, and that the BOS is issuing a conditional Temporary Access Permit as negotiations go forward. Shawn again reiterates that through that time, the conditional temporary access can be revoked if negotiations cannot come to a conclusion. Shawn notes that he believes a permanent agreement will be done before the project is completed.

Shawn words the requested motion: ***"to grant Eversource a Temporary Access Permit off GH Carter Dr. to access the power lines via the Town access road with the following conditions: 1) Eversource will provide by the close of business this Friday, Aug. 28 a proposal that includes compensation to the Town for a permanent (northern) wetlands crossing and 2) that the BOS will review in subsequent BOS meetings to ascertain that Eversource is negotiating in good faith and 3) the BOS retains the right to revoke this conditional use permit at any time. The conditional permit will start immediately and expire on Dec. 31, 2020 and can be extended with written correspondence from Eversource and granted by the BOS."*** Shawn agrees to amend his motion to include "northern wetlands crossing" as requested by Mr. Springer. Steve makes the requested motion. Second by Joshua.

Ms. LaRocca states that she thought Eversource was entering into a permanent access agreement that said nothing about wetlands. She notes Eversource wants to connect the Temporary Access Permit to a permanent access agreement. She would feel better if the motion did not contain anything about the northern wetland crossings. Mr. Flanders states the access agreement should not involve wetlands at all. He states he believes the issue of wetland crossings falls between the Town and Conservation and what they will do with the money once the permanent agreement is completed. He reiterates the Eversource permanent access path has nothing to do

with that. Mr. Emerson asks if the Eversource request will require wetland crossings at all. Shawn explains that if the BOS does not grant temporary access, Eversource will have to access wetlands.

Mr. Springer clarifies his understanding that Eversource does not build structures under their power lines other than poles and therefore would not pay for any structures (e.g: wetland crossings). Ms. LaRocca agrees this is the case. He notes the last time the Town dealt with Eversource they gave Forestry money that was used by Forestry to build what they needed to build to solve three wetland crossings. Mr. Flanders notes Eversource will enter negotiations and agree on a sum (of money). What the Town does with that money is up to the Town. Shawn agrees with this interpretation, noting that is something the BOS and/or Town will decide. He notes that he personally believes that money from a source should be used in the spirit of that source, citing as an example the fact that cable fees are dedicated to cable infrastructure and not put into the general fund. Shawn calls for a vote on the motion. The vote is unanimous (5-0). Shawn asks that Eversource please not wait until the last minute the next time they need bring something to the BOS. He notes the BOS is feeling very rushed.

Mr. Acheson asks if the BOS will have a time by their next meeting to further discuss the Olde Rd. project. He asks Shawn if he should be on the next agenda. Shawn notes Mr. Acheson's concerns but states he has "learned that government is slow". He explains the BOS will need to work with the Planning Board get details of the agreement and review the complaints. When asked if Mr. Acheson would be notified, Shawn explains he would be on the agenda, which is publically posted before the meeting. Mr. Boling confirms that he will be on the agenda on September 9, 2020.

**Signature File:** The BOS reviews and signs the contents of the signature file. Shawn notes the BOS has reviewed and signed the MS1. This document is filed with the Dept. of Revenue (DRA) and is the inventory of the assessed value of the entire Town. Line #5 shows the valuation before exemptions at \$420,335,905. The net valuation after exemptions (such as senior, handicap, etc.) is \$417,218,397. Utilities have been valued at \$15,062,800. The total of the Town's valuation after deducting utilities is \$402,155,597. This amount will be used when setting the tax rate in the fall. The document is now signed.

The BOS reviews a plot listing from the Cemetery Trustees. Twenty-Four (24) plots are listed. Shawn notes the form needs to be updated as it reflects the year of 2018. Dottie expresses concern that the list does not indicate in which cemetery each plot is located.

The BOS reviews a contract agreement for the Town's website hosting company. Shawn explains this is the annual maintenance agreement and is for \$1575. Shawn motions the BOS authorize him to sign the annual Website hosting agreement. Second by Dottie. Vote is unanimous (5-0).

**Minutes:** The BOS reviews the minutes of the Aug. 10, 2020 Public BOS meeting. Sheila asks Kim how changes and amendments are reflected in the minutes. Kim explains she corrects the draft minutes prior to posting them as the approved final minutes, and those changes are also referred to in the next meeting minutes. Shawn confirms that an approved copy of the written minutes also goes to Chris Tracy. The following amendments were made:

- ✚ Lines #140 and #143- reference to the Armand contract: spelling is corrected to RMON.
- ✚ Sheila confirms with Kim that they now have the last name for Matt from Eversource. Kim confirms she was able to get that information tonight.
- ✚ Line #355- Joshua would like to clarify that the phrase "new construction this year" be corrected to "new construction in 2018".

Joshua motions to accept the public minutes for the Aug. 10, 2020 BOS meeting as amended. Second by Dottie. Vote is unanimous (5-0).

The BOS reviews the minutes for the Aug. 10, 2020 Non-Public BOS meeting. Dottie motions to approve the minutes for the Aug.10, 2020 Non-Public BOS meeting as submitted. Second by Sheila. Vote is unanimous (5-0).

## II. Old/New Business

**Lamprey Healthcare and Senior Transportation Programs:** The BOS reviews information they received via e-mail. Shawn explains the organization is one of the recipients of Town funds. He confirms with Kim that they have been paid for 2020. Kim explains the letter states they (Lamprey Healthcare) can no longer provide the listed services and have provided four (4) options for what the BOS can do with the remaining funds. Shawn suggests; that to be fair, he would send the remaining funds to Meals on Wheels who will be taking over the Lamprey Healthcare organization. Sheila agrees. Joshua asks for clarification of the program. Shawn and Sheila explain it was one of the programs that provided seniors with transportation for shopping, doctors' appointments, etc. Shawn explains that due to COVID Lamprey Healthcare is re-evaluating their whole program and have decided to cancel the Senior Transportation Program. They are asking that the funds the Town has already paid be transferred to Rockingham County Meals on Wheels, which is another service the Town supports. Shawn notes that come budget time the BOS can look at that funding so they could earmark the Lamprey funds to Meals on Wheels as they will be providing more resources for to the Town. Shawn suggests the BOS instruct Lamprey Healthcare that the BOS will seek Option #2, which will transfer the amount indicated above be transferred to Rockingham Meals on Wheels as the organization that will be taking on our ridership and contract with the State pending State approval. Joshua makes the motion. Second by Dottie. Vote is unanimous (5-0).

**Bulk Pick-Up Update:** Shawn explains the BOS needs to reach out to Casella to ensure the Fall Bulk Pick-Up is still scheduled. He notes that he had left it that he was only cancelling the first pick-up in April. He states he feels the second one should move forward as things are "quasi" getting back to normal and the Fall bulk pick-up should be part of that. Sheila confirms the scheduled date is for Saturday, Oct. 24. Shawn states that he would support adopting the same format that Scott Borucki had proposed, with sign-ups and so forth, for the past couple of years. He explains he feels that makes the process very smooth and addressed many of the concerns- noting the BOS will never fix all of them, the process is more like controlled chaos.

Sheila notes that an issue that came out of previous discussions of the paperwork was that administrators were taking the information for white goods pick-up instead of people calling Casella for direct pick-up. Shawn and Sheila agree that (direct contact) is the way it should be, but the administrators were doing that paperwork for the public. Shawn states that any sort of white goods that Casella would pick up for a fee is beyond the scope of the Bulk Pick-Up program. That is a direct resident/vendor transaction. Sheila notes that she is not in favor of doing the forms. She states she feels it is a lot of work for the administrators. She notes she feels they could still have the rules (e: g: size of the piles, etc.) Shawn responds that when residents sign the forms they are agreeing that they are aware of the rules. Without the signed agreement, all kinds of lumber and junk end up lying on the side of the road with pick-up issues. He reiterates the process has worked. Sheila expresses concern that not everyone has computers to access the forms online and many people are not comfortable coming in to Town Hall. She asks if the forms could be e-mailed. Shawn agrees they could accept that. He clarifies that Sheila's comments reflect a different viewpoint relative to the sign-up sheet and he does not want to go that route because it is just going back to the way it was and he does not want to go backwards. He wants to move forward...and he wants to see it more organized with what is acceptable and is not, but he does understand Sheila's point.

Sheila asks if the Town can recover funds for the Spring Bulk Pick-Up that was cancelled. Shawn asks how that was funded. Dottie clarifies one was in the Town budget and one was an approved Warrant Article. Shawn notes both sources of funding would lapse at the end of the year. Joshua suggests using the funding from the Warrant Article for the Fall Bulk Pick-Up because that is a special purpose Warrant Article and cannot be spent on anything else. He believes those funds cannot go back into the General Fund. Sheila suggests the BOS could also encumber those funds because the Town has a contract with Casella. Shawn agrees the Warrant Article funds cannot go back into the General Fund, but the funds budgeted in Town Budget can go back into the General Funds or be repurposed. Shawn notes he believes they will need to use the funds from the Town budget, as the \$25,000 in the Warrant Article will most likely not be enough to cover the costs of the Fall Bulk Pick-Up.

Joshua asks who has responsibility for the hazardous waste and if they are having a drop-off this Fall. Shawn explains the Highway Dept. implements it but it is organized through a consortium of local towns on a rotating basis. He explains the State has grants for that purpose and the towns apply for it. He explains the hosting Town

applies for the grant and will hopefully get it, noting it does not cover 100% of the expenses. Shawn notes the hosting town takes an inventory of which town everyone is from. Shawn explains the math used: the Total Cost-Grant Amount=the Net Cost. The Net Cost is divided by the total number of participants= Cost per User. Each Town is billed based on the number of participants from their town. The Host town pays all the costs of the program up front and is reimbursed by the participating towns. Shawn notes that in essence this results in approximately the same yearly costs to the Town. The Hosting town has to budget extra for the added up-front expenses, but that is recovered through the revenue generated by the participating towns. Shawn does not know who was supposed to host the Hazardous Waste program in 2020. He asks Kim to look into this and find out who was supposed to host it and if they are going to host a Hazardous Waste day. He suggests she talk to Mr. or Mrs. Caillouette at the Highway Dept. Sheila states she believe she remembers seeing Sandown posting a Hazardous Waste day and then cancelling it. Shawn confirms the consensus of the BOS is to move forward with Casella and the Oct. 24 Bulk Pick-Up day with the sign-up sheets. He asks Kim to have Gail spearhead that project. Joshua suggests putting something on the outside sign and to put it on the Town Announcements. Sheila asks that it is also goes up on the Town's website.

**Stage Coach Roof Update:** Dottie informs the BOS she had spoken to Carol Baird, Chair of the Heritage Commission and Bob Gauthier who had done most of the restoration work in 2010 regarding the BOS concerns of the expense of removing the mold on the Old Stage Coach roof. She was told the mold removal is supposed to be done every 5-7 years and it is now 10 years. Dottie notes the process is similar to what Steve had explained at a previous meeting. The product is applied and rinsed off. However, in the case of the Old Stage Coach roof, the roof will need to be scrubbed and it cannot be on the roof for more than 15 minutes or it will stain the building. She explains the reason that John Caldwell was the only person who bid was that he was the only person who had a water source for the project. Steve asked if the fire trucks could provide the necessary water. Dottie explains it has to be very clean water. Sheila asks if the amount of pressure from the trucks would damage the shakes. Steve notes they can reduce the amount of pressure of the water. Dottie states that Ms. Baird wants to know if the BOS wants Heritage to put this out to bid, noting they had done this once before and the only person who responded was Mr. Caldwell.

Sheila asks if the bid policy applies for \$1000. Shawn believes the amount is higher, but notes they should be getting multiple quotes no matter what the dollar amount is. Steve notes that "being the prudent conservative that he is" the Town has a Highway Dept with two employees and a Fire Dept. that is manned during the day. He states his two firefighter/EMTs would be glad to go out with clean water and assist the Highway Dept. to do the project and save the Town \$1000. Dottie states it sounds great to her; she just needs the Heritage Commission to bless that option. Joshua notes the only point that he can think of outside of discussion, is that John Caldwell mentions in his letter that he is insured, so if there is any damage done to the roof or building, it can be repaired. Steve notes that he did this cleaning annually by himself on his last house using a pressurized fire extinguisher with one (1) part bleach and four (4) parts water. He explains he wet the house first, sprayed on the solution with a couple of inches of soap, let it set for a few minutes with no scrubbing and then rinsed. He notes it was clear and there was no damage. Joshua states that he did the same thing with his old house. Sheila notes the Heritage Commission is concerned because these are cedar shakes, not asphalt shingles.

Joshua explains he could go either way as long as it did not damage the building. He notes using the Highway Dept. would be cheaper unless they have to rebuild or repair the roof. He states he is unsure what kind of damage could be done. Sheila and Dottie explain the cedar could be stained if the solution is left on for too long. Steve asks Joshua for the name of the product he had mentioned in a previous meeting. Joshua states the product is called "Wet and Forget". He states it was fairly foolproof but that he was using it on composite siding on a modern house. Steve states that he had done some research when the subject first came up and the product was listed for cedar and was also discussed in the videos explaining how to use the product. He notes that some videos suggested applying the product and rinsing without scrubbing, letting the wind and the rain wash away the dead lichen and moss that had accumulated. Shawn notes he would like to see this project "done internally" if possible. He suggests that Steve work with his department and the Highway Dept. to get the project done.

**Old Meeting House BOS Meeting:** Sheila asks for discussion regarding the annual BOS meeting at the Old Meeting House. She notes the religious meeting was cancelled due to COVID and she was wondering if the BOS could also cancel their meeting due to COVID and attach the State guidelines to the minutes. She reminds the BOS that they are stipulated to meet there once a year. Shawn notes his belief that it is not a stipulation, but meeting there maintains the status of "oldest active meeting house in the state of NH". He states they have done this every year and to cancel would mean the Old Meeting House would lose that status. Sheila and Joshua both note they believe that meeting there was part of the "Parson's Agreement". Dottie notes "they're" supposed to get \$100 for preaching from the Town Parsonage Fund and that was the reason for one of the letters the BOS received. Shawn recognizes this exists, but does not think it is the reason the BOS has to meet there. Joshua vaguely remembers discussion when the Secretary of State was visiting. Shawn states that some of those agreements were interpreted wrong and he believes everything was corrected at that time and remains so. Joshua reiterates his belief that in order to satisfy the Trust agreement, the BOS had to have a meeting there every year. Shawn again states he does not believe it is a requirement and adds that it does not have to be a normal bi-weekly meeting. The BOS can have it on another day with a light agenda. He reminds everyone there is no place to sit. Shawn suggests an agenda with just the vendor pay warrants and minutes- just the basics needed hold an active meeting there. Sheila reiterates her question if it should be cancelled due to COVID.

Kim asks about the BOS meeting schedule with Labor Day and Primary Tuesday, noting that would push the next BOS meeting to three (3) weeks out. Shawn suggests the BOS meet at the Old Meeting House on Monday, Aug. 31 and schedule the next meeting on Monday, Sept. 14, and not meeting the week of the primary. He notes BOS members will need to come into the Selectman's Office and sign the payroll warrants between these meetings, as payroll will be generated on the "off" week. Dottie reminds the BOS that the longer they wait to hold the Annual Meeting at the Old Meeting House, the less light they will have to work with. Shawn explains the Fire Dept. comes up and puts up their lights in the Old Meeting House.

**Pesticide Issue:** Sheila informs the BOS she had an ACO call for an owl that she transported to Epping. It was unable to be saved due to eating a poisoned rodent. She states she noticed while signing warrants that the Town was just serviced by their pesticide company. The Old Meeting House, Town Hall, the Police Dept., and the Fire Dept. are all done with boxes of poison. When the rodents leave after eating the poison, if they are caught by wildlife, the wildlife is then poisoned and killed as well. Shawn clarifies that Sheila wants to ensure the Town is not supporting that kind of bait and he agrees with her. Sheila expresses her concern that boxes of bait are accessible, particularly at the Community Center where unattended kids could get into them. She asks if there is a way to have the vendor return and use another method. Shawn suggests asking them to come up with a proposal that is non-poisonous. Sheila offers to reach out to them.

Kim informs the BOS there is a bee issue in the back of the Police Dept. There is an uncovered hole that appears to be for cable, leading back to the electrical box that is creating a big bee problem. Steve offers to take a look at the issue. Kim notes LT Merced has taped over the hole because there were so many bees.

Joshua notes there is an open motion. Dottie explains that Sheila made a motion to talk to the Pest company about doing something non-poisonous. Second by Steve. Vote is unanimous (5-0).

**Meeting Masking Request:** Shawn refers to a request made at the previous meeting for a mandate to all board and committee members and members of the public wear a mask while attending meetings requiring video recording to protect the camera operators. He states he understands and respects everyone else's right to protect themselves. He states he personally does not believe in masks and feels that he is doing himself harm by masking and he is not going to wear one. Steve states that he agrees with Shawn and notes the distance to the cameraperson is 15'-20', which exceeds CDC standards. He reminds the BOS that he is on the front lines every day. He notes that he is okay with social distancing, but not with mandated masks. Dottie notes the unmasked public in the audience is a problem for the camera people. Steve expresses his belief that masks have not been tested and are ineffective for the smaller particles. Discussion follows regarding the types of masks that are effective. Sheila agrees people should have a choice, but is also concerned for the camera people when there is public in the audience. Shawn suggests a motion to provide some kind of Plexiglas barrier for the cameraperson. Sheila notes

the public also has a choice about wearing masks as well. Joshua expresses his opinion that his mask is not to protect him, but to protect others from his particles. He notes is also not for mandating masks, but did think that perhaps they could have an overflow of the public at the Community Center. He states he is aware this would involve technical expenses and perhaps that could be priced out with RMON. Sheila suggests that the BOS hold their meetings at the Community Center.

Dottie states that as a member of the Safety Committee she has done some research and looked at the Dept. of Labor for recommendations. She explains the Town is responsible for employees, boards, and the public in the building. There are guidelines for public employees. By law, the Town has to keep employees safe. If the employees do not feel safe, the BOS needs to listen to them and needs to provide a safe work environment for all employees. She notes that she believes the BOS should require masks and social distancing for anyone who enters any Town building. This would include employees, elected officials, board members, and members of the public. She reiterates the Town needs to provide a safe work environment and no employee should feel unsafe at work. She explains this is her opinion based on NH RSA 281-A:64: Safety Provisions.

**Section 281-A:64**

- | <b>281-A:64</b>   | <b>Safety</b> | <b>Provisions;</b> | <b>Administrative</b> | <b>Penalty.</b> | <b>–</b> |
|---|---------------|--------------------|-----------------------|-----------------|----------|
| <p><i>I. Every employer shall provide employees with safe employment. Safe employment includes but is not limited to furnishing personal protective equipment, safety appliances and safeguards; ensuring that such equipment, appliances, and safeguards are used regularly; and adopting work methods and procedures which will protect the life, health, and safety of the employees. For the purposes of this section, "employer" shall include railroads, even if the employees of such railroads receive compensation for work injuries under federal law rather than RSA 281-A.</i></p>  |               |                    |                       |                 |          |
| <p><i>II. All employers with 15 or more employees shall prepare, with the assistance of the commissioner, a current written safety program and file this program with the commissioner. After a written safety program has been filed, the program shall be reviewed and updated by the employer at least every 2 years. Employer programs shall, in addition to the specific rules and regulations regarding worker safety, include the process of warnings, job suspension, and job termination for violations of the safety rules and regulations set forth in the program.</i></p>  |               |                    |                       |                 |          |
| <p><i>III. Every employer of 15 or more employees shall establish and administer a joint loss management committee composed of equal numbers of employer and employee representatives. Employee representatives shall be selected by the employees. If workers are represented by a union, the union shall select the employee representatives. The joint loss management committee shall meet regularly to develop and carry out workplace safety programs, alternative work programs that allow and encourage injured employees to return to work, and programs for continuing education of employers and employees on the subject of workplace safety. The committee shall perform all duties required in rules adopted pursuant to this section.</i></p>  |               |                    |                       |                 |          |
| <p><i>IV. Employers subject to the requirements of paragraph III, other than employers participating in the safety incentive program under RSA 281-A:64-a, shall be placed on a list for early and periodic workplace inspections by the department's safety inspectors in accordance with rules adopted by the commissioner. Such employers shall comply with the directives of the department resulting from such inspections.</i></p>  |               |                    |                       |                 |          |
| <p><i>V. Notwithstanding paragraphs III and IV, an employer of 15 or more employees may satisfy the requirements of those paragraphs if such employer implements an equivalent loss management and safety program approved by the commissioner.</i></p>   |               |                    |                       |                 |          |
| <p><i>VI. The commissioner, in conjunction with the National Council of Compensation Insurance (NCCI), shall develop a list of the best and worst performers based on the experience modification factors promulgated by NCCI. The list shall include the top 10 lowest experience modification employers. The commissioner shall publicly recognize these low experience modification employers by presenting them with an award at the department's annual workers' compensation conference. The list of the top 10 highest and lowest experience modification employers shall be provided to the advisory council. The department shall review any specific claim against any employer listed in the top 10 highest experience modification list in conjunction with the safety program on file with the commissioner.</i></p> |               |                    |                       |                 |          |

*VII. In order to assist self-insurers in developing experience modification factors, self-insurers may submit the appropriate statistical information to the National Council of Compensation Insurance for calculating experience modifications.*

*VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any employer not in compliance with the written safety program required under paragraph II of this section, the joint loss management committee required under paragraph III of this section, or the directives of the department under paragraph IV of this section. Each violation shall be subject to a separate administrative penalty. All penalties collected under this paragraph shall be deposited in the department of labor restricted fund established pursuant to RSA 273:1-b.*

*IX. [Repealed.]*

Shawn states there are options for employees who feel unsafe, they can wear any kind of mask they desire, and they can expect to protect themselves. He reiterates they (the employees) can only protect themselves and cannot rely on anyone else. He states that mandating masks is “assuming without any proof that someone is contaminated;” and notes the community numbers do not reflect that. Dottie reiterates Joshua’s statement that masks are to protect other people from him.

Sheila suggests that to protect the cameraperson with a 6’ distance from the public they would need to put them in the back room. Shawn again suggests a Plexiglas partition. Joshua suggests moving the network to the Community Center, but Shawn notes there are issues with the technology infrastructure there. There is discussion regarding the technology pieces that could be used to make the necessary connections. Joshua notes that he does not believe you can prevent an elected official from coming into a public meeting. Shawn reiterates his belief that it is all about personal choice and how it affects the individual.

**Code Issues:** The BOS has received an anonymous complaint letter. Steve notes he believes the BOS is powerless to address the complaint, as the Town does not have a Code Enforcement officer to deal with these types of complaints. Shawn explains that with previous grievances they have had the building inspector address the issue.

**Highway Dept. Trucks:** Steve states he has spoken Mr. Roy regarding the sale of his truck to the Highway Dept. and was told the price was \$10,000. He states that he has consulted with Mr. Caillouette who thought that was a reasonable price. Steve agrees and would like to move forward with the purchase, asking the BOS what would be the procedure. There is discussion regarding the BOS previous approval to purchase the previously reviewed NHDOT surplus trucks. Mr. Caillouette had planned to purchase two (2) six-wheel dump trucks and a 2-wheel drive pickup truck. Steve notes that Mr. Roy’s truck is all set up as it has previously used the Town’s equipment and he would like to see that truck purchased. There is further discussion on the proposed purchase of the pickup truck. Steve notes that he cannot see buying a used pickup truck with 167,000 miles. He believes research should be done looking at a new pickup truck from the State’s bid list, noting his department had done that several years ago and it was a very successful purchase. Sheila reminds the BOS they still have the old Fire Truck that needs to be dealt with. Steve states he believes that if the Highway Dept. was to purchase a pickup truck, it should be a 4x4, single cab, with a plow set-up.


Shawn clarifies that the Highway Dept. purchases will now be one (1) 6-wheel dump truck from the State and Mr. Roy’s truck. Sheila confirms the purchases are still coming out of the Highway Dept. budget. Shawn requests a motion to purchase Mark Roy’s plow truck for the sum of \$10,000 and that would come out of the Highway Dept. budget. Mr. Caillouette would now only purchase one (1) truck from the State and would not purchase the pickup truck. Steve makes that motion. Second by Sheila. Vote is unanimous (5-0).

**Primary Day:** Dottie provides the BOS with a diagram for the Primary election set-up for Sept. 8 and gives the details. The Police Dept. will be at the door because they will be mandating masks. Anyone refusing to mask will be escorted to an alternate entrance and voting area. Shawn asks how many voting booths there will be. Dottie notes there will be no curtains, but is not sure how many booths there will be. Shawn asks her to get a count of active voting booths to compare to prior years. Dottie notes that Mr. Hantman (Town Moderator) is not concerned







with the Primary, but is very concerned with the November elections. She reminds the BOS that all of them need to be at the polls, and if they cannot be there, they can designate someone who is a registered voter to represent them. Shawn explains the BOS cannot ask one person to represent multiple Selectmen. He also explains the full BOS does not need to be there for the entire day. Dottie notes that she will be there. Shawn encourages the BOS to take shifts, noting the he and others can come in after work. There is a short discussion about setting up schedules. Dottie notes it is important that a BOS member be there when the polls are opened. Shawn agrees.

### **III. Town Announcements**

#### **Open Committee Seats:**

-  Cable Committee- Selectman's Representative- 1 opening.

#### **Calendar:**

-  August 24- Vesuvius Day
-  August 31- BOS Meeting at the Old Meeting House
-  September 7- Labor Day
-  September 8- NH State Primary Day Polls open 8:00AM-8:00PM
-  October 24- Town Bulk Pick-Up
-  November 3- General Election

Shawn requests a Non-Public session under NHRSA 91-A:3, II(a). Sheila motions to go into Non-Public session as requested. Second by Joshua. Roll Call: Shawn- yes, Steve-yes, Sheila-yes, Dottie-yes, Joshua-yes. Non-Public session begins at 9:36PM.

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

Respectfully Submitted  
Deborah A. Christie

Selectmen Aug. 24, 2020

PLEASE PRINT. THANK YOU!

NAME

ADDRESS

Matthew Flanders	Concord, NH (with Eversource)
RICKARD PERRIN	U.S. Census
Cindy Lash	Isach Pham, Danville
Sharon Hawkins	Beach Place Rd, Danville
Carlrew Pruble	4 Hampstead Rd.
DAVID Smith	57 Main St. Dan-
Cathleen Smith	54 Main St. Danville
Elizabeth DeRosa	Eversource
Dan Acheson	Arbor Lane.
Nelly Wood	Arbor Lane
Peroni Boling	13 Old Road