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Town of Danville
Board of Selectmen
Monday, December 14, 2020
7:00 PM

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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; Chief Wade Parsons, Danville Police Dept.; LT Justine Merced, Danville Police Dept.; Tim Howard, RMON; Chester Sullivan, CMS Sullivan; Barry Hantman, Town Moderator, Chair, Planning Board; James Seaver, Road Agent; Andy Ward, Highway Dept.; Dan Ricker, Highway Dept.

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

Shawn asks if there are any members of the public not on the agenda who wish to address the BOS. No members of the public ask to speak.

ACO Access Update: Chief Wade Parsons addresses the BOS stating that he wants to clarify misleading information presented at the last BOS meeting regarding the ACO and IMC access issue. He states that he has received a copy of last week's presentation and want to clarify to the BOS so that they have an understanding that the Danville Police Dept. maintain that they (the Police Dept.) are "guests" on the Rockingham County server and it is Rockingham County that controls access, rights, and privileges to IMC. The Police Dept. has some rights for local administration, but they are still on Rockingham's server.

LT Justine Merced explains that while administrative assistants for police departments are not certified officers, they can log into IMC because they are all Town employees. Rockingham has stated that Sheila/ACO is the only person to have access to IMC that is not an employee of a town, a police dept., or a law enforcement officer. LT Merced notes that administrative assistants still have to answer to someone. LT Merced notes that when Sheila was the appointed ACO, she did have access rights, but that changed when the ACO became an elected position because the ACO no longer answers to the Police Dept. Chief Parsons has no responsibility for the ACO position. LT Merced clarifies that while Sheila holds the ACO position right now, this issue stands true for anyone in the elected ACO position.

LT Merced also notes the ACO has stressed it is a necessity for her to have access to IMC to do her job. However, LT Merced was wondering how that access was handled for reporting purposes when Sheila was the ACO in Hampstead. Sheila responds, "Hampstead worked with me, can't say that for this Town." LT Merced states that she spoke with Deputy Chief Kelly from Hampstead. He went back to 2008 and there are only sixteen (16) ACO reports, and one of those was from a Hampstead police officer. Deputy Chief Kelly also notes that Sheila did not have access to IMC. LT Merced wants to clarify that it is possible to perform the ACO job without access to IMC. LT Merced reiterates that the Danville Police Dept. are "guests" on Rockingham's server and that Rockingham sets everything up for the Police Dept. She also notes that Sheila does have security rights through Rockingham County, and they have provided her (LT Merced) with a copy of those rights, so Sheila does have rights to IMC right now. Anything that has to do with the connection has to go through Rockingham, the Police Dept. has no part of it.

LT Merced references NH RSA 466:37 that Sheila cited in her presentation last week. She notes that “official neglect” is not appropriate, and that it is appropriate against the Sheila/ACO due to not responding to a call this past summer that has been previously discussed.

Sheila refers to the court order of 2015. LT Merced states that when the Town voted to dissolve the appointed ACO position, the court order was no longer in effect.

LT Merced explains the Police Dept. budget includes an IMC license for Sheila/ACO. This means that the Police Dept. does not have enough licenses for their officers. She explains the Police Dept. only has three (3) IMC licenses for mobile computers, one is used by Sheila/ACO, leaving only two (2) for officers to use on the mobile computers. LT Merced notes that Sheila/ACO does not answer to anyone, including the Police Dept. and that she needs to establish her own relationship with IMC. The license needs to come from the ACO budget. Sheila can go directly to IMC and Rockingham and take the Police Dept. out of the issue. “This is where the Police Dept. stands at this point.” They do not want to have anything to do with this and keep getting dragged into it.”

Sheila responds, “If you did the right thing you wouldn’t be dragged into it.” LT Merced notes that Sgt. Hamlin had helped her (Sheila) set up IMC. She also states that she (LT Merced) had also helped to set her up last year. Patty Hess had asked her to work on Sheila’s laptop and LT Merced states that she unlocked and gave Sheila/ACO access through that laptop. LT Merced notes that Sheila/ACO “got herself jammed up again, so it is not an accurate statement that that the Police Dept. is not working with you (Sheila). It’s not our (Police Dept.) job and we did work with you.” LT Merced states that she “does not know what you’re (Sheila) doing, but we’re not going to be your IT person because the ACO does not fall under the Police Dept.” LT Merced states the Police Dept. has tried, but Sheila cannot come to them every single time she has an error. She notes that Sheila should be going directly to Rockingham. LT Merced states that she cannot speak for Rockingham, noting that is Sheila’s relationship, not the Police Dept.

Steve confirms that Sheila spoke to LT Kevin Walsh. Sheila reads from her previous statement:

LT. Kevin Walsh, Rockingham County Sheriff Department:

He explained that the IMC rights are administered by each Town themselves. Each town, like Danville, sets the security rights; they alone control the settings and the control rights. There is nothing that IMC at Rockingham Dispatch can help with, because of this. The Danville Police Department would have to set up the security rights for the laptop. Rockingham Dispatch can’t do anything to help with the laptop as they don’t have security rights themselves to any of the towns’ IMC. So even if they wanted to, they are unable to.

Shawn stops the discussion and expresses his concern with the “major disconnect”. He states that he understands the Police Dept. does not control their rights to the server. LT Merced explains that the Police Dept. has the rights to set the rights for their own department, but rely on Rockingham when they need to have something fixed. Rockingham sent her (LT Merced) a copy of Sheila’s security rights, so obviously Rockingham does have access to them. Shawn clarifies that there are two levels of access: 1) access to the IMC system, and 2) access to the part of the IMC program that Sheila/ACO uses. Shawn asks Sheila if she can connect to the IMC system and can they (Rockingham) see her on their server. Shawn explains that if “no” than Rockingham needs to figure it out because at that point, Sheila/ACO is not connecting to the server. Sheila explains the night she went down and the officer could log in on her computer with his credentials, she could not log in with her credentials and IMC locked her out. Shawn explains that somebody on the server side can look. Sheila explains when she calls Rockingham, they tell her it shows her logged in, but she is locked out on her side. Joshua states it sounds like Sheila’s account is “locked” and somebody needs to go in and unlock it. Shawn notes that often happens when multiple incorrect passwords are tried, it becomes a security issue and the account is locked until it can be authenticated. Once the account is locked, it stays locked until it is corrected in the system. He suggests that Rockingham needs to do something to unlock her account. Rockingham states they can’t do it because they can’t access Danville’s Police Dept. security rights. LT Merced disagrees because whenever the Police Dept has a problem, they go to Rockingham and whenever they get a new officer, they send the information to Rockingham who then sends back the user name and password for that officer. The Police Dept. does not create these, as they are “guests” of

Rockingham's server. She maintains it is not a Police Dept. responsibility. Shawn states he believes the issue is with Rockingham.

LT Merced explains the way the Police Dept. is being perceived in why the Police Dept. needs to separate from the ACO issue and that Sheila/ACO needs to establish her own relationship with Tri-Tec (IMC). She reiterates the Police Dept. is paying for an IMC license for Sheila to use, that the Police Dept. cannot use. Joshua notes that someone should have a log of the login attempts/errors. LT Merced believes that Rockingham should have that record.

Chief Parsons states that whether or not Sheila/ACO has access to IMC, he "is not the gate keeper preventing her (Sheila) from doing her job. She was clearly able to do it in Hampstead without access to IMC and for her to suggest that he is preventing her from doing her job, he does not take that lightly." Sheila states that she is trying to get her reports done and that is the most important part of her job, so the public can have access to that information. Shawn expresses concern that Sheila has not acknowledged a 91-A request. There is a brief discussion about that request. He also states his concern about the amount of time the BOS has spent addressing the ACO/IMC issue without any resolution. Shawn states he supports the separation of the Police Dept. because they do not want to be her IT support. Sheila reminds Shawn about the court order. Shawn disagrees that the order is still relevant. There is further animated discussion. The BOS reviews an e-mail from Brian at RMON. Shawn reads, *"As Brian also stated, the Police Dept will not unlock Sheila's account because she is not a Police Dept. employee."* Shawn confirms this with LT Merced. She confirms this conversation with RMON and that she explained to RMON that Sheila/ACO was not a member of the Police Dept. and they were not going to deal with ACO connection issues. Shawn explains that if the Police Dept. grants Sheila authority to access IMC they are also accepting responsibility for her and they do not want to do that. Sheila created the elected ACO position on her own so then she needs to get Rockingham to unlock her account, as they are the "gate keepers."

Dottie states the Town voted to create an elected ACO position. Shawn agrees. Dottie states the BOS is answerable to the Town and it is time for everyone to get along. Shawn states it will never happen. Dottie responds that the BOS needs to move beyond this, be adults about this, and work with each other. LT Merced states that is fair, but the Police Dept. is not going to be bullied into doing something just because somebody feels like it. Joshua asks what kind of training was required at the Police Dept. to unlock IMC. LT Merced states that Rockingham would be the agency to train her. Joshua suggests that Sheila go to Rockingham and be certified. LT Merced reiterates there is no reason for the Police Dept. to be involved and they will remove themselves, and take back their license so their officers can utilize what the Police Dept. is paying for. Sheila/ACO and the Town can establish their own relationship with IMC and all of the problems can be addressed directly with IMC. LT Merced emphasizes it's not a question of "can we", but an issue of "she does not answer to us", so it's her (Sheila) having access to a system that the Police Dept. is a "guest" of (Rockingham) and they give the Police Dept. access ability to manage only their own department.

Steve states that he and Sheila conversed on this and he recommended that she talk to LT Walsh. He asks if Sheila spoke to him personally. Sheila states they spoke over the phone and the conversation was recorded. Steve suggests that Sheila go up, personally speak to LT Walsh, and straighten it out. Steve states that he also told Sheila that "if she can't get anywhere with LT Walsh, to go to the Sheriff". Sheila reminds him that everything was outlined in her notes from the last meeting and that she had gone as far as the AG's office. LT Merced notes it is important that Sheila clearly identify herself as an "elected" ACO because for a long time, Rockingham was under the impression that she was a member of the Police Dept. The Police Dept. had to clarify multiple times that Sheila was not a certified law enforcement officer, not an employee of the Police Dept. and answers to no one; so if something goes wrong, they can't fall back to the Chief. She notes that they have tried to unlock her and at what point does it stop? She notes she understands the court decision, but asks what happens when someone else is elected. She reiterates the court decision is not relevant anymore because the appointed position has been dissolved.

Steve agrees with Dottie that everyone should work together, but states he does not believe it will ever happen, noting it is a rift and tiff in Town with the ACO position. He suggests that Sheila/ACO totally separate from the

Police Dept. and go to Rockingham to straighten out the issue as the elected ACO. Sheila states that is how she represents herself. He states that if he were having such resistance, he would go out on his own and “get it done”. LT Merced states that the Police Dept. will remove Sheila from their IMC contract tomorrow and that Sheila can figure it out. Sheila reminds the BOS that the license will cost the Town. Joshua tells her to put it in her budget, and that while her budget is done, it can be reconsidered.

LT Merced notes that she had received an ACO report from Sheila that was completed in Word. Sheila notes the report was done on her personal computer. Shawn asks why. Sheila states that she only does what is supposed to be done on the Town/ACO laptop. Shawn notes the reports are Town business and again confirms that there is now Town business on her personal computer. Sheila explains Town business is in the Town’s computer when she uses IMC.

Barry Hantman, speaking as a town resident, states he has a very big concern about Town information, which may include personal information being on anybody’s personal computer. Sheila states it is on a thumb drive. Mr. Hantman emphasizes that no Town business should be on anyone’s personal computer or personal thumb drive. Shawn agrees, but reminds him that the BOS cannot act on this issue.

Joshua suggests that Sheila can ask Rockingham what it takes to be trained for IMC and if Sheila is comfortable being the administrator for her own account, find out the cost of a license. He also suggests that perhaps someone from RMON could be the administrator. Tim Howard from RMON explains that as an administrator to IMC, they can help get access to the system through the ACO laptop. However, the second level is at Rockingham and their administrators give access to the application. He notes that general security practices would include a need to check with Rockingham regarding access as the user. He feels it is a “dead conversation” as IMC is for a department, not an individual and he does not see Sheila’s request going anywhere. Shawn suggests IMC may not allow anyone on the system that is not a certified police officer. LT Merced confirms this conversation rests with Rockingham and this is why the Police Dept. wants nothing to do with the issue. Mr. Ward asks if Sheila went down to talk to Rockingham personally. Sheila states she did not because of COVID and her conversations were entirely by phone.

Mr. Hantman suggests having somebody “who speaks their language” talk to Rockingham’s IT person. Shawn states he can understand that, but has concerns with repeat issues. He again expresses his concern at the amount of wasted time of having the Police Dept. dragged in to defend themselves for no reason. He states that if this topic comes up in the future, it will need a motion and vote before the topic will be discussed. There is animated discussion ending with Sheila again referring to the court case. Shawn thanks Chief Parsons and LT Merced for coming in to discuss the issue and closes the discussion.

ZOOM Meeting Update: Joshua clarifies the discussion will be specific to ZOOM meetings, in his opinion, noting it is inherently insecure. Shawn states he believes those issues have been addressed. Joshua notes that Cisa just sent an alert for K-12 remote learning and provided guidance how to keep kids safe. Mr. Hantman notes there are other alternatives like Cisco Web X and others. He explains the issue is a “bigger topic”. The Planning Board, BudCom, and BOS meetings would be a “one way” ZOOM session and there is less potential for security issues because it is a small number of people logging in. He refers to a long e-mail that he sent the BOS regarding changes to Town Meeting and Voting.

Mr. Hantman explains that he and others use their personal ZOOM accounts for the Planning Board. He recommended the BudCom purchase a license, bill it to the Town, noting it would be about \$100/year. Shawn expresses his concern with the State requirements for virtual meetings. Mr. Hantman notes there are fewer requirements if the boards and committees still meet in public where the public can attend, while some members log in remotely, because they are still providing opportunity for public access. He explains that if the boards and committees do go fully remote, the requirements dramatically increase because there is no opportunity for the public to attend. Mr. Hantman notes he does not recommend going to fully remote meetings due to the complexity of the rules. Joshua clarifies that he is not a security engineer and usually does not mention company names. He does not want to disparage one company over another.

Mr. Hantman states he needs to discuss Town Meeting (Deliberative Session), noting the BOS needs to set the date. He explains the State has provided for an alternative process to allow towns to do a virtual Town Meeting followed by drive-through voting. He notes his e-mail outlined the complex process. He explains that he has sent the State ten (10) questions regarding the process because much of it was unclear. The State did not have the answers and will have to get back to him. He notes that he is concerned if the Town and School District make different decisions regarding going virtual. What happens if other towns in the School District choose to go virtual and Danville does not?

Mr. Hantman explains the virtual format takes control about what actually appears on the Warrant away from the Town and puts it in the hands of the BOS. The first Warrant Article must be "does the Town accept the alternative process". If the townspeople vote "No", everything else on the Warrant automatically fails based on State Law. Letters regarding the virtual process must be mailed to every registered voter (not by address, but by individual voter). The Town has to hold two (2) virtual sessions: 1) Informational session that reviews all the Warrant Articles and 2) a review session one week later where the BOS responds to any submitted questions, comments, etc. Shawn clarifies that the only public input would be through the BOS and the BOS would bring these questions and comments forward. Mr. Hantman confirms that the public can't make motions, the BOS can choose what questions and comments to address, not address, what to act on, what not to act on and at the end of the second session, it is the BOS that decide on the wording of each Warrant Article.

Mr. Hantman expresses his concern with the process and does not recommend the Town go to this virtual process. Shawn agrees. Mr. Hantman notes his concern with pressure from other towns in the School District. Joshua asks for clarification of the issue with the School District. Mr. Hantman explains that the Town votes on both the Town Warrant and the School District Warrant on the same day, and that was one of his questions to the State. Shawn explains the virtual information just came out last Friday. He notes the School District is already inquiring if the Towns can use the elementary schools for their School District Deliberative Sessions. The towns would be responsible for cleaning up afterwards and there would be costs associated with that change.

Mr. Hantman explains that to invoke the virtual process, the Town/School Moderators must declare that the voting location is unsafe. The BOS/School Board would need to vote to invoke HB1129 to change to the virtual format and drive-through voting. He states that if the Town holds the traditional in-person meetings and voting there are precautions he can make to run them safely; noting he was diligent to ensure safe voting in the primary and election and no one got COVID through community spread from voting. He assures the BOS that he will do the same for Town Meeting and the March elections. He will do whatever needs to be done to make those events safe.

The BOS needs to pick a date for the Town Meeting. Mr. Hantman notes he originally had a conflict on Feb. 6, but that is gone so either Feb. 6 or Feb. 13 can work. Shawn suggests the BOS choose the earlier date in case there is an issue with weather. He confirms that would be Feb. 6. Joshua motions the BOS set the Town's 2021 Deliberative Session for Saturday, February 6, 2021 at 10:00AM. Second by Dottie. Vote is unanimous (5-0).

Mr. Hantman confirms the BOS is not interested in the alternative (virtual) process. Shawn states he believes it disenfranchises the Townspeople because the BOS becomes both the governing and the legislative body by taking input from the people and being able to choose not to act on it. Shawn asks the BOS for their decision so that he can bring it to the School Board meeting. Joshua suggests the decision may rest with the School District Moderator. Mr. Hantman suggests asking him (the School District Moderator) what his opinion on the issue is. He notes that the moderators cannot declare that "voting is unsafe" until the BOS issues the Warrant Article invoking the virtual process. Steve states that he prefers the "old-fashioned session, that he does not see any virtual thing being successful or fair, and has confidence in Mr. Hantman's ability to keep everyone safe". Sheila reminds the BOS that using the school is still an option. Mr. Hantman reminds the BOS that he had also suggested using the Fire Station bays for a meeting. Shawn notes that would be the best way to hold drive-through voting. Sheila states she agrees with keeping everything in-person. Dottie asks to wait and see in about thirty (30) days. She expresses her concern with the public spending three (3) hours in the same room with the same air, noting that during voting people were moved in and out quickly. Joshua states he would prefer the regular (in-person) session but

expresses his concern if the School District chooses to go virtual. Mr. Hantman states he is confident he will have answers from the State before the Deliberative Sessions. The consensus of the BOS is that they prefer to conduct Town/School Deliberative Sessions and the Town Elections in person.

Olde Rd/DES Update: Shawn confirms with Mr. Hantman that the Planning Board is aware of the NH DES issue with the property owner on Olde Rd.

Road Acceptance/Bond Reduction: Chester Sullivan explains to the BOS that he attended the meeting because he believes he was taken off the agenda. He states that he was at the Planning Board meeting last week and that he needs to meet with the BOS to sign the deed and give the Town the road. He notes the Town is holding a big bond on that road. Kim explains that she thought the issue was with the Planning Board and took Mr. Sullivan off the agenda. She thought the BOS had accepted the road a couple of months ago. Shawn clarifies that was only a bond reduction on the road. Shawn notes that he does not have any paperwork for the road. Mr. Sullivan expresses his concern that he has been trying to do this for two (2) months and has not gotten anywhere. He provides the BOS with his copy of the paperwork from Dennis Quintal, the Town Engineer. He notes the Planning Board has already accepted the last 300' of the road. After a short discussion, it was determined that he had given the deed to Gail (ZBA) a month ago, but it is not in the Signature File. Shawn apologizes. Mr. Sullivan states the deed was in the Planning Board paperwork last week. Shawn explains the BOS has to formally accept the road and reduce the bond. Mr. Sullivan notes that he understands that, and that the Town holds the reduced bond for one year after accepting the road. He notes the Town is holding the bond for \$60,000, Sandown is for \$10,000, and DOT for \$3,000, almost \$80,000. The road and vegetation have been completed for two (2) years and that is a lot of money to keep holding. Shawn reiterates that the BOS can accept the road, but needs the deed. Mr. Sullivan reiterates that the office has had the deed for a month. Sheila asks if there is anything the BOS can do at the meeting and have Mr. Sullivan come in tomorrow to sign the deed. Shawn apologizes, acknowledging there is new staff, new roles, and new learning and some things "fall to the floor."

II. Budgets

#4150.60- IT/Financial Services: The preliminary budget for #4150.60 is presented for \$51,396. Tim Howard of RMON provides the BOS with a list of line item increases. He explains the vendors have been increasing their fees, noting that Line #390 increased \$376 per month due to increased licensing fees. He also explains that 2020 was a year of increased need for cyber security and vendors are increasing their costs for firewalls. He reminds the BOS that when they purchased their cyber security bundle last year, he told them those costs would most likely increase and they have. The monthly increase in the budget is \$432.40, for an annual increase of \$5189. Mr. Howard notes some anomalies in the expenses reflected in various budget lines. There is a discussion of these and he notes he will sit down with Patti Sarcione and ensure there is proper allocation of expenses. He notes that he has not been able to get in to go over anything with her because of COVID. He reiterates that everything comes down to cyber security. Sheila asks why there are no expenditures from Line #740- Hardware/ New Upgrades. Mr. Howard states there have been purchases made that should be reflected in that line and that is why he needs to sit down with Kim and Patti to ensure the correct allocation of expenses. The BOS confirms the additional costs are \$5189 to be added to the preliminary budget of \$51,396 for a total of \$56,585. Dottie motions to approve the budget for #4150.60 IT/Financial Services for \$56,585. Second by Sheila. Vote is unanimous (5-0).

 **#4150.60- IT/Financial Services budget is approved for \$56,585**

#4312.20 Highway Dept./Road Maintenance: Jim Seaver, Road Agent presents the budget for #4312.20 Highway Dept./Road Maintenance for \$494,039. He explains that he used the FY2020 budget, budgets that were previously prepared by Mr. and Ms. Caillouette, and his own ideas to provide a preliminary budget. He discusses changes made to Line #110- Full Time Salary and Line #120- Part-Time Salaries. He notes that the FY2020 had two (2) full-time positions budgeted. He explains that he believes that one of those full-time salaries was used to pay for the part-time position. Mr. Seaver explains that he moved that part-time salary out of Line #110 and it is now reflected in Line #120 under part-time employees so that Line #120 now accurately reflects all part-time employees, including highway staff, a secretary position, on-call drivers and summer help. On-call winter help is reflected in the Winter budget line.

Line #130- Road Agent salary reflects the 2% COLA increase. Mr. Seaver notes the increase in Line #140- Overtime is due to an increase in base wages.

Mr. Seaver expresses his concern that the current Highway employee is seriously underpaid given what he does. He notes that Mr. Caillouette had increased the budget for that position to \$18/hr, but Mr. Seaver believes it should be higher because the employee has his CDL and can plow snow. Mr. Seaver notes the employee can do anything that is asked of him, and that he does not always work the full 24 hours that is budgeted for that position. Mr. Seaver states that fair market rate given this employee's credentials would be \$23-\$25/hr. He reiterates the employee can run the backhoe, chainsaws, etc. and that he (Mr. Seaver) believes the employee's current rate of pay is way too low.

Steve reminds the BOS that BudCom will be doing a wage and salary study. He states that he agrees with Mr. Seaver and the employee needs a raise. Steve suggests starting at \$20/hr and see how that will play out in the wage and salary study. Joshua asks if the BOS should budget that position for \$23/hr so that if the budget is approved, the money for the extra salary is already included. Steve reiterates that Mr. Seaver's budget still has to go through BudCom and reminds the BOS how his Fire Dept. budget was treated. BudCom only gave the Fire Dept. employees the 2% COLA. Steve notes that he is wondering if the wage and salary study will be done by Town Meeting so it can be analyzed and maybe adjust the different pay lines. Joshua clarifies that regardless of what the BOS puts in the salary lines, BudCom has the final say until Town Meeting. Steve notes that he believes that BudCom will take the \$18/hr and add the 2% COLA. Mr. Seaver clarifies that the employee's current rate of pay is only \$15/hr.

Mr. Seaver emphasizes the need for qualified employees, noting that his current staff is highly qualified and should be paid what they are worth. Steve agrees stating that to get good help you have to pay them, and notes the Town has been underpaying its employees for a long time. Steve states that he hopes every department head has an opportunity to provide input into BudCom's wage and salary study. Sheila confirms that FY2020 Highway budget was \$508,548. Shawn notes his records show \$504,456. The BOS review the year-to-date expenses and Shawn notes the reduction was due to paying off the backhoe lease, and reminds the BOS those savings will be short-lived pending the night's discussion of leasing new trucks.

Steve expresses concern with the salary line for the secretary. Mr. Seaver notes that he has been doing it himself with help from Patti Sarcione, but will need someone especially if the Highway Dept. will be dealing with Stormwater Management. He notes that he believes the previous secretary handled the Highway Dept, the playgrounds, Stormwater Management, etc. Mr. Seaver states that he feels he can do 80% of the duties himself and would just need someone to come in and "tweak stuff". Dottie asks who would handle submitting the payment warrants. Mr. Seaver states that he feels he can do that, Shawn notes the BOS could handle that piece as well. Steve states that he personally sees no need for a secretary and reminds the BOS they are looking to "outsource" Stormwater Management to other Town departments. Shawn states the Conservation Commission is looking at it, but no decision has been made as to how and who will be managing that program. Shawn suggests the Mr. Seaver give Kim his invoices and she can create the warrants. Mr. Seaver explains that he "likes to control his own stuff and likes knowing what is coming through." Shawn expresses his concerns that the Town is paying him, a senior level person, to do data entry and believes it is the wrong allocation of resources. Mr. Seaver explains that he should know how to run everything in his department and that he believes this is part of the job. He reminds the BOS that Line #120- Part-Time salaries is just a guess as it is all new with the changes that Ms. Caillouette made by moving and grouping all the part-time salaries in that line.

The BOS review Line #140- Overtime. Shawn asks how that line was figured. Mr. Seaver explains that he estimated how many hours he would be over and notes that the base wages are higher, resulting in higher overtime rates/hr. Steve asks if Mr. Seaver is paid overtime. Mr. Seaver states that his agreement with the BOS is that he gets paid for every hour he works and notes that he, Mr. Ward and Mr. Ricker are budgeted in that overtime line. He explains that while Mr. Ricker is part-time, there could be times when he could reach the point of earning overtime. Shawn confirms with Mr. Seaver that the Road Agent salary (line 130) is based on forty (40) hours per week and asks him if he (Mr. Seaver) is going to be part-time and keep his own business going. Mr.

Seaver states that he agreed to “launch” because he “may be the guy, he may not be the guy”, so right now he is on an hourly wage because he has his own business to tend to.

Steve reminds the BOS this is just a budget. Joshua notes Line #130- Road Agent base salary, is technically a salary so it is not hourly. Shawn explains the salary amount was created on the assumption of a forty (40) hour workweek and can be broken down into an hourly rate of pay.

Sheila notes the lack of budgeting in Line #650a- Truck Leasing. Mr. Seaver notes that he put a \$1 place- holder in that line pending discussion and a decision from the BOS. Joshua confirms the current bottom line of the Road Maintenance budget is \$494,039. Shawn suggests the BOS back out of the discussion of the budget to discuss the truck issue and once that decision is made, the BOS will have a correct amount to put in that line and adjust the budget accordingly.

Steve states that before the BOS discusses the trucks, he would like to decrease the Road Maintenance budget by \$28,549 by eliminating the secretary position and removing the \$16,550 for Stormwater Management. Dottie expresses her concern, noting that Stormwater Management has to be budgeted somewhere. Shawn explains that Stormwater Management has its own budget line and that seems to be the best place to keep it. The BOS is now looking at eliminating just the secretary position. Shawn states that he agrees with Steve, but feels there are duties that need to be taken care of. He notes there are still costs involved if those duties are brought to Kim and/or Patti, as they will now have more work to do. Shawn states he agrees that thirteen (13) hours is a lot of hours for the amount of work that needs to be done. Steve states that he feels there simply is not enough work to pay \$12,000 a year for a secretary. Shawn agrees, but notes that zero costs/zero time is not realistic, and asks how the work will be allocated.

Sheila states that she agrees the secretary position belongs in the Highway Dept because the Road Agent needs to know what bills are coming in. Dottie suggests leaving the position in the budget until Mr. Seaver “gets his feet under him.” Joshua explains that his motion was going to be to add \$6240 and budget \$23/hr for twenty-four (24) hours for the part-time highway employee that is currently budgeted for \$18/hr. Mr. Seaver again clarifies that the part-time employee’s current wage is only \$15/hr. Joshua clarifies that the fair market value of the employee’s credentials are \$23-25/hr and he wants to add the \$6240 because he is concerned that the BOS budget the correct salary amount.

Steve expresses concern that BudCom will cut the salary back. He emphasizes that it is discrimination if they (BudCom) allow the Highway Dept. to increase salaries while only giving the Fire Dept the 2% COLA increase, noting that will “create a real storm.” Dottie asks how the previous part-time employee was paid. Mr. Seaver again explains that salary was paid out of the budget for the second full-time position. He reiterates that he has moved that salary out of Line #110 and put it in Line #120 in order to clarify and more accurately show those expenses. Previously, Line #120 only contained the part-time secretary’s salary and that all the Highway employee salaries were paid from Line #110- Full-time employees, including the part-time Highway employee. Joshua clarifies that if a qualified employee went to a private company, they would be paid \$18-\$23/hr. Mr. Ward states that with a CDL and a medical card, they could get \$25-\$30/hr. Mr. Seaver states that he has a Class A with multiple endorsements. Dottie notes that his credentials are very valuable. Joshua suggests funding the part-time Highway employee at \$20/hr but notes his concern with keeping qualified help.

Steve states that he agrees with Mr. Seaver’s budget except for the secretary position. Mr. Seaver suggests the BOS cut that salary in half, noting that Shawn has made it clear that he does not want him (Mr. Seaver) doing his own paperwork. Mr. Seaver clarifies he does not know what he needs in that position. He knows that he will need some help so that he does not “flood Kim with all her work”, and again suggests cutting the hours for the position in half. Shawn suggests that would be a reasonable compromise, cutting the secretary hours by 50% and the salary to \$6000. He notes the position would be responsible for entering the warrants and Stormwater Management. The BOS review the additional \$5000 budgeted for generic on-call staff and have no comments.

Shawn confirms the two changes currently made to #4312.20 Road Maintenance are in Line #120: a reduction in the secretary hours/salary and an increase in the part-time Highway employee salary from the currently budgeted \$18/hr. Steve states he will go for a maximum of five (5) hours for the secretary position. Shawn reminds him they are reducing the salary to \$6000, which is 6.5 hrs/week, and this includes entering pay warrants and Stormwater Management including interfacing with the Stormwater Management consultant. He notes that Steve's request is a savings of only \$1000.

The second changes to Line #120-Part-Time Salaries is an increase to the currently proposed \$18/hr for the Part-Time Highway employee. The discussion has been to increase that amount to \$20-\$23/hr. Joshua states that if the BOS puts in \$23/hr; it may not be accepted by BudCom and it may not be what the BOS pays for that position, but he feels the BOS should budget that position at fair market value so they (the BOS) can hire qualified employees.

Dan Ricker introduces himself to the BOS as the current part-time employee. He explains that the day he was hired was the same day that Mr. Caillouette was suspended and he was only concerned with getting to work. He explains that being in Town has helped, noting that his children are in the Danville school. He explains that his agreement with Mr. Seaver and Mr. Ward are that they will call him when they need him. He admits that the salary is very low, but the "Town needed the help" and he would "worry about that later."

Joshua states that he understands Steve's issue with the Fire Dept. salaries, but that his budget has gone through BudCom and those issues need to be resolved at the Deliberative Session. The BOS can make recommendations, but BudCom will do what it will do. Steve agrees that this discussion is with pay parity and notes he would like the BOS to give Mr. Seaver the budget that he needs. Joshua states that he still believes the BOS should add \$6240 to Line #120 for the part-time Highway employee. Shawn states the net increase to Line #120 after adjusting the secretary hours/salary and the part-time Highway employee salary will be \$1240. With \$1 still in Line #650-a Leasing the adjusted bottom line budget for Road Maintenance is \$493,279.

Highway Dept- Trucks: Mr. Seaver updates the BOS on the truck purchase discussed and approved at the December 7 BOS meeting. The owner has not put the truck back together and he (Mr. Seaver) feels that it is not going to happen. Mr. Ward notes that he has looked at the truck and has concerns that it does not have a wing plow, it does have hydraulics, but only has a light-duty front plow frame. He feels the Town would end up spending more money to get it ready for use. Mr. Ward also notes the truck body was rotting out and the Town would not get much time out of the body. Mr. Ward reiterates it is a decent-looking truck but the Town will need to spend extra money on it in order to use it. In the interim, Mr. Ward has received paperwork for three trucks that are fully equipped available in northern Vermont and notes that he and Mr. Seaver may be taking a ride up to look at them. Mr. Ward states that he feels it would be better to spend extra money on something that is all set up and is newer.

The Vermont trucks are '12, '14, and '17 and are all set up with plows and sanders. Mr. Seaver emphasizes that while the Highway Dept needs trucks, he does not want to go buying just anything. He notes that one of the subcontractors that plowed last year may have a wing truck available and he would like to purchase a new sander for the "little truck". The current sander on that truck was purchased in 1999 and continually has issues. Mr. Seaver notes that all the new sanders are electric, no gas, and no oil and only cost approximately \$6000 with the "headers". The purchase would allow the Highway Dept. to have a spare sander if the other two break down. Shawn suggests that Mr. Seaver just purchase the sander out of the FY2020 budget.

Steve refers to an earlier conversation with Mr. Ward regarding the '17 Mac truck available in Vermont. Mr. Ward confirms the price is \$75,000, noting the BOS had previously approved \$55,000 for the other truck. Mr. Ward explains that he would go with the '17, noting that if the Town took care of it they could get eight (8) years out of it. He notes that it has a L9 Cummings motor, but both he and Mr. Seaver want to look at it. Shawn asks for the rationale of having such late model trucks available. Steve and Mr. Ward both believe it is because these trucks were probably short-term leases. Steve notes the '17 Mac only has 21,000 miles. Joshua confirms the trucks are all set up including the sander. Shawn states that getting a three (3) year old truck with 21,000 miles, all set up for half of what the Town would pay for a new truck makes the decision easy. Mr. Ward reviews the specs for the

other two trucks that are Freightliners and reiterates the '17 Mac appears to be the best buy. Steve asks which brand is the better truck. Mr. Ward admits that he is a "Mac man".

Steve motions to increase the BOS approval for the purchase of a truck for \$55,000 made last week to \$75,000 if Mr. Seaver feels this new truck is worth the price. Shawn asks who is selling the truck. Mr. Seaver and Mr. Ward state that it is a truck center in northern Vermont specializing in big trucks. Shawn asks Mr. Seaver to find out the process needed to purchase the truck. Mr. Ward clarifies the trucks have no warranties and all purchases, even from this dealer, are "as is". Shawn notes the BOS is very well aware of that fact. Steve reminds the BOS he has an open motion. Joshua seconds Steve's motion. Vote is unanimous (5-0).

Shawn states the original goal of the BOS/Highway Dept. was to purchase three (3) trucks, but feels that is unrealistic given the costs of those purchases. He suggests the BOS stay with purchasing two (2) trucks, which is what the Highway Dept. has had to work with in past years. He suggests the Town lease a new truck and purchase one that could be added to the fleet ASAP to fill the current need. He notes that if Mr. Seaver does not find a suitable used truck the Highway Dept. can use right away, the BOS could add a second truck to the lease, but reminds the BOS the Town would then not have either truck for this winter. There is a short discussion on leasing and purchasing in time to encumber the funds before the end of the year. Steve reminds the BOS they need to add the lease price to the FY2021 budget. Mr. Seaver asks the BOS for time to make one more phone call. He notes that if the Town leased the International, but had the equipment installed by Donovan, instead of Fairfield, it reduces the cost of the truck by \$10,000. He explains that the Donovan representative had clarified that they install equipment on all makes of trucks. Mr. Seaver notes that he prefers Donovan's as it is closer and he prefers their method of installation. He wants to make sure the International dealer will allow the Town to put Donovan in the lease as the dealer for the equipment.

Shawn asks for a motion to authorize the Road Agent to engage in a seven (7) year commercial lease for a 20-22 International single-axle chassis truck with a dump body and plow equipment for a seven (7) year term. The total amount of the lease is \$158,698 or less. The interest rate on the lease is 2.92%. The annual lease payment is \$25,395.29. Steve makes the motion. Second by Dottie. Vote is unanimous (5-0).

Concluding the discussion of the purchase of the trucks, the BOS includes the lease price in the Highway- Road Maintenance budget now amended to \$518,674. Steve motions to approve the budget for #4312.20 Highway Dept- Road Maintenance for \$518,674. Second by Dottie. Vote is unanimous (5-0). Steve motions to approve the budget for #4312.30- Stormwater Management for \$16,550 and #4312.50 Winter for \$165,000. Second by Dottie. Vote is unanimous (5-0).

-  **#4312.20- Highway Dept/Road Maintenance budget is amended and approved for \$518,674**
-  **#4312.30- Highway Dept/Stormwater Management budget is approved for \$16,550**
-  **#4312.50- Highway Dept/Winter budget is approved for \$165,000**

#4196.10- Insurance (Other): Kim states that she has received the actual figures for the increases in the #4196.10 Insurance (Other) budget. The BOS needs to adjust the budget to reflect these changes. Line #520- Property and Liability has changed to \$49,776, more than was approved in the budget last week. The BOS reviews the new pricing. Shawn notes that most of the increases are Workman's Comp costs. Dottie motions to change Line #520- Property and Liability in the budget for #4196.10 Insurance (Other) to \$49,776. Second by Steve. Vote is unanimous (5-0)

-  **#4196.10- Insurance (Other) Property and Liability budget is amended and approved for \$49,776**

III. Old/New Business

2021 Holiday Schedule: Kim presents the proposed 2021 Holiday Schedule to the BOS for review. Sheila confirms it is the same schedule as 2020. Dottie motions to adopt the 2021 Holiday Schedule as presented. Second by Sheila. Vote is unanimous (5-0).

Olde Rd: Shawn confirms with Kim that the Cease and Desist letter authorized by the BOS at the December 7 meeting was sent to the property owner on Olde Rd.

Signature File: The BOS review and sign the warrants in the Signature File.

Road Acceptance and Bond Reduction Request: The paperwork for Mr. Sullivan's request is in the Signature File. Shawn reviews the paperwork and asks for authorization to meet with Gail, and provided that everything is in place, a motion to accept the road from Brendon's and Megan's Way. Shawn notes the Planning Board has accepted the road and now the BOS needs to accept the road. Sheila motions to authorize the Chair to execute the deed for accepting the road relative to the CMS Sullivan subdivision. Second by Steve. Vote is unanimous (5-0).

Community Center Committee: Sheila has requested to join the Community Center Committee. Shawn asks if she has met with the Committee and received a recommendation. Sheila notes that she has spoken with Kim. Kim explains the committee has not met due to COVID. Shawn asks for a current list of members. Kim states the current members are herself, Mark Dufour, and Sharon Woodside. Mark and Aurie Roy have resigned. Matt Bean was just appointed to fill one of those openings. Sheila's appointment would fill the remaining opening. Dottie motions to appoint Sheila to the Community Center Committee. Second by Joshua. Vote is 3-yes, 1-no (Shawn) and 1-abstention (Sheila) (3-1-1).

Minutes: The BOS review the minutes for the December 7, 2020 BOS public meeting. Joshua updates the BOS on the RFP for Financial Services. He has not sent out the RFP as he still needs to enter a date the bids will be reviewed. Kim asks when the BOS hope to return to bi-weekly meetings. Shawn explains it does not matter, that the review just needs to be scheduled on a normal warrant week, as the BOS will always meet on those weeks. Kim sets the bid date for Monday, January 11, 2021. Dottie motions to accept the minutes for the December 7, 2020 BOS public meeting as written. Second by Steve. Vote is unanimous (5-0).

The BOS review the minutes for the December 7, 2020 Non-Public BOS session. Shawn notes that he is still dealing with that matter. Joshua motions to approve the minutes for the December 7, 2020 Non-Public BOS session as written. Second by Dottie. Vote is unanimous (5-0).

GOFERR Update: Sheila states that Danville has received reimbursement for the full amount of the GOFERR grant. The Town received \$106,622 in grant funds.

Default Budget: Sheila asks if the 2% COLA increase should be calculated in the Default Budget. Shawn states that discussion will be added to the December 21 agenda. He also notes the BOS needs to generate an "income budget" and asks Sheila to work with Patti Sarcione to determine what was budgeted in FY2020, how much was actually received, and develop a preliminary "income" budget. He notes the BOS can make adjustments and do a revised estimate of revenues before setting the taxes. He explains the BOS does this now and again in September.

IV. Town Announcements

Calendar

 **Monday, December 21, 2020-** BOS Meeting 7:00PM @ the Town Hall

There being no further items to discuss, Shawn requests a Non-Public Session under NH RSA 91-A 3:II(c). Sheila makes that motion as requested. Second by Steve. Roll Call Vote: Shawn-yes, Steve-yes, Sheila-yes, Dottie-yes, Joshua-yes. Non-Public session begins at 9:40PM.

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

Respectfully Submitted
Deborah A. Christie