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Town of Danville
Board of Selectmen
Monday, April 5, 2021
7:00 PM

7:06 PM

Meeting is Video-Recorded

Selectmen Present: Shawn O’Neil, Chair; Steve Woitkun, Vice-Chair; Sheila Johannesen, Dottie Billbrough, and Dr. Kim Farah

Others Present: Kimberly Burnham, Selectmen Administrator; Stacy O’Connor, Recreation Dept; Police Chief Wade Parsons, Danville Police Dept; LT Justine Merced, Danville Police Dept; Residents: Kevin Dube, Stephanie Dube, Lisa Barr, Scott Barr; Sean Cormier, Business Owner

Shawn called the meeting to order at 7:06PM 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.

Recreation Dept: Stacy O'Connor updated the BOS on the Field use for the upcoming season. She noted the only insurance binder she has received to date is for the Soccer organization, so they are cleared to use the fields. She has not received anything from the baseball organizations, including any schedules. Ms. O'Connor notes that she is expecting to receive the Soccer schedule by the middle of next week. Ms. O'Connor notes that on May 1, Rockrimmon Estates has requested to use the parking lot at Goldthwaite Field for a food truck as part of their neighborhood-wide yard sale. She has not received a schedule for that yet. She has told them that they will need to provide an insurance binder and a letter of release for the Town, as the Town is not responsible because this is not a Town sponsored event. Ms. O'Connor also informs the BOS that Baseball is currently using the fields without any insurance binders in place. Shawn agrees that this cannot go on. Ms. O'Connor confirms that she has the support of the BOS when she addresses the issue via e-mail stating that they (the baseball organization) cannot use the fields again until she receives their insurance binder. Ms. O'Connor notes this is an ongoing issue every year. Shawn confirms the BOS will support her.

Water Issue Update: Referring back to last week's discussion, Steve explains to Ms. O'Connor that he had a meeting with HAWC and Lewis Builders regarding the Fire Hydrant issue and that they are working out a plan to minimize hydrant use so that it will not affect the residents of Colby Pond. Lewis Builders have agreed to engineer and apply for all the permits to put in a dry hydrant on GH Carter by the powerlines. Shawn confirms this will take the water load off the Colby Pond System. The dry hydrant will have direct access to Colby Pond. The current hydrants on HAWC's water system would be used for backup only. Ms. O'Connor confirms the location of the dry hydrant and that the water for that hydrant would be pulled only from Colby Pond. She asks if another hydrant could be installed at Goldthwaite notes the water there is not as deep. Joshua Manning, the engineer for Lewis Builders will begin the project on GH Carter next week and Steve states he will mention that to him. Ms. O'Connor will pass this information along to the Colby Pond residents.

Ballot Machine/Vote Recount: Kevin Dube introduces himself and states that he was aware of last week's discussion regarding the accuracy of the voting machine ticker count. He notes that he supports Shawn's efforts to address that. He explains that he does not doubt that the Town officials did not have a role in the issue, but with the evidence of miscounts with the voting machines, he feels the Town should “get to the bottom of this and make sure the Town had a fair election.” Shawn states that was his goal, but found out the ballots are sealed and have to be opened by

court order, and because it was a federal election, it would need to be a court order from a Federal Court. Mr. Dube asks what it would take for a majority of the BOS to move forward with that and asks if the BOS would support that. Shawn states that he does not believe so. Mr. Dube asks if a citizen petition would influence the BOS decision. Shawn explains that would be up to each Selectperson. Steve explains his concern with the expense. He states that he had met with Scott Wallace, Danville's State Representative who stated that the State Representatives are "looking into things" and that he (Steve) believes the Windham issue will determine a lot of this. Steve reiterates his concern about the cost of legal fees to take the issue to the Federal Court level. Mr. Dube expresses his personal doubt of moving forward with confidence in an election with the evidence that is out there. Steve suggests that Mr. Dube contact Scott Wallace and discuss his concerns with him, noting this would take the issue a step higher than the BOS as he would be addressing it at the State level.

Stephanie Dube introduces herself and states that she watched the BOS meeting of March 22, 2021, and was struck by the defensiveness of the election workers. She notes that no one is placing the blame on anybody and that is not the issue. She reads *"We as citizens of this Country and taxpayers of this Town have every right to question the validity of these machines and in the light of what we did see in Windham and in other cities and towns. We need to feel secure that our and our children's votes matter and would like to second what Kevin has brought up in elevating this and elevating our concerns because our voices do matter and you (the BOS) are our representatives. It's important that you (the BOS) take that into consideration. This is a non-partisan issue. It's not about the possibility of changing the election, it's about making sure every single vote is counted for that particular voter and counted the correct way."*

Lisa Barr introduces herself and states that she is here for the same issue. She also had watched the meeting and thinks that Shawn had excellent points. She notes that she agrees with everything he was saying and supports all those ideas. Ms. Barr states that she thinks "this was a very important election and with everything going on, there are many people who have a lot of concerns but are afraid to speak out about them". She notes that she thinks it is really important that we do everything that we can. She states that "it doesn't matter what party you belong to, your vote is your freedom and she feels that there is just so much going on, how can we know that this was done correctly. We don't know unless we check the ballots against the machine". Shawn agrees that this was the same point he was trying to bring up.

Scott Barr states that he just wants to bring up and support what Lisa Barr was saying and see what progress was being made. Shawn responds "our progress is zero". Shawn then thanks all of them for their support, but notes he respects the other BOS' members opinions as well. Shawn explains that he is a computer engineer by trade and knows how easy "to do this kind of thing is." He notes that he has joked about the issue with the Volkswagon diesel fraud- how easy that was to do. He explains that ballot machines are just computers looking at tick marks and counting them. "Once somebody knows "this tick mark= this, and that tick mark=that, what happens to the internals can only be imagined". Shawn notes that he understands, as Mr. Hantman indicated, that the ballot machine has never been connected to the Internet, stating "that's fine, but that you can still have everything done self-contained". He notes that the "Volkswagon cars were programmed to know when they were on a tester being tested for EPA federal mandates and used a different set of parameters. Once you have that kind of intelligence in something, you can do all kinds of things. It doesn't have to be connected to the Internet and that's the kind of stuff he was trying to bring to the table".

Shawn explains how Windham "got in touch with their issue was just 'ad hoc', they had a person who lost in a race close enough for a recall, and then they found out they were so much ahead. If that was truly what was captured on the election ticker tape, it should have said there were 300 more (votes) than that, that (the machine count) would never have been called into question. This is the kind of thing that makes you go hmmm. This is the kind of stuff that I was looking for. We can add another data point on this stuff. If we did a count of the various races and everything was good and matched the tape, which it should, and if it doesn't then we have another problem. The thing is, wouldn't the State like to know, not just Windham, but maybe Danville, and maybe another town does it as well and starts checking. It's not the stuff that we can just easily figure out, it's the stuff that we don't know yet. The one in Windham is just by chance that it happened to get caught and now it's the main fray of 'let's look into all these things'. I think it would be great if every town did a check into this stuff- a spot check of various races and

prove their machines were doing things accurately, but we can't do that." Shawn notes he was there that night (election night) when the tape spit out "this is the number of ballots and came out as the 'golden number'. There was no hand counting. There was no need to because what defines a close race, which triggers these things (hand recounts) is defined by RSA and those things weren't met, so no hand recount was done. But there is no means for us to say 'I don't trust that machine, how can I check that machine for validity purposes? There is no RSA that touches on that, so we're basically assuming that the counting machine is god in this case. This was why I was trying to bring this forward".

Dr. Farah points out that yes, there was a problem in Windham, but as Mr. Hantman notes, there were many other recounts in races that showed that those machines were accurate. Shawn agrees that's good supporting evidence. He asks how many were there, and how many were adjusted even though the count might have been changed.

Shawn notes Mr. Hantman tests the machines beforehand by running a small sub-sample. He compares it to people being "caught with weights and measures". Dr. Farah states that Shawn "makes it sound like Windham was the only town to do a recount and that is not the case. That was the machine to be found in error. There were recounts throughout the State that validated the machines". Mr. Dube asks if these were hand counts vs. the machine ticker. Dr. Farah confirms this. She explains that it's even been done in Danville. If there is a vote within a certain number or if Mr. Hantman makes a decision to recount something close, noting "we do it all the time." Shawn clarifies this happens at the local level. "Mr. Hantman can turn around and count copies a couple of times because until he certifies that number, it is not recognized. Once Mr. Hantman certifies that number, then it is a challenge". Shawn notes that in a Federal Election (like November 2020) everything is done by the State.

Mr. Dube asks where they can find information on the other recounts. Dr. Farah notes that each town would have it in its voting records. Shawn state that he believes these would be recorded with the Secretary of State because the recounts have to be done in that office. Ms. Dube suggests that "it seems to her if there is any question, those folks with the ability to do a recount would want to do that." There is a brief discussion of the process of getting a court order. Ms. Dube states that everyone should want one vote, one person and there shouldn't be anybody sitting on the BOS that does not support doing that. Ms. O'Connor notes that even if everyone on the BOS said yes, they still have to go to the State. Shawn corrects it to the Court. Ms. Dube suggests the BOS should go to the State as a unified board.

Shawn notes that this is not just about him. He has had a variety of people address him about this issue. He reiterates that he was there on the November Election night and what that ticker says is the vote count, that is what they go with, noting there are minor adjustments for various ballots that come in. His concern is that they can't say "x number voted for one candidate; x number voted for another candidate, and they can't say that is equal to the paper trail. Nobody can say that. Mr. Hantman can't say that."

Mr. Dube notes that he never questioned the issue until this year. He never had a reason to suspect anything until the corrections and that he remembers there was an issue brought up in 2018. He notes that he just wants to make sure it doesn't happen again and there's only one way to get to the bottom of that. Shawn agrees that "just doing a recount on everything is the only way to be sure. At the end of the day, the machine and the ballots should be equal and if not, there's a problem, and that's what happened, they can't say that they're equal". He notes the probability is high that they are equal according to the State's stats.

Shawn explains that he doesn't know what it would involve bringing the issue to Federal Court. He notes that legal costs are a very valid reason as they can become expensive very quickly. The BOS would have to question if it would be worth that much to pursue, and that everyone would have a different opinion on that.

Ms. Dube confirms that they need to e-mail Scott Wallace and Joshua Yoluka (the "floating" State Representative). Ms. Barr asks who says the Town has to use these voting machines. Dottie explains the State mandates that. Shawn explains the State dictates that because apparently, they have done their "due diligence" through some kind of vetting process.

Home Occupation Permit: Mr. Cormier explains to the BOS that he has received and completed a Home Business Permit form. Shawn explains that Mr. Cormier would fill out that application with Gail (ZBA secretary). Sheila notes there are two applications in the Signature File. Mr. Cormier explains that he has questions about the permit. He confirms the address of the business is 12 Olde Rd. Sheila confirms it is a trucking business. Mr. Cormier explains that he has recently separated from his father's company and will be maintaining his equipment with him in Hampstead, but is making his legal address in Danville. He would be using the 12 Olde Rd. address for storage as there is only room for his truck at his father's location. Shawn asks if he meets all the criteria on the application. Sheila states that she believes he does not. Mr. Cormier explains that he came to register his truck in Danville because he intends to do his business at 12 Olde Rd. and was told that he needs to fill out the Home Business permit first.

Steve confirms that Mr. Cormier is renting space from James McComber. Mr. Cormier explains that he is currently renting outdoor space until the bays are completed. He notes that he has a rental agreement. He states that he is trying to "get the ball rolling on his business and the first thing is to register his truck." Shawn explains that the Home Occupation Permit is for a resident working out of their home. Mr. Cormier is talking about a business and that needs to go before the Planning Board, and that he also needs to fall under the guidelines of the business approved for that site. Steve confirms that the area is zoned industrial and notes that he was not aware the owner was renting his building out. Mr. Cormier explains there is a reciprocal rental agreement between his Dad and the owner. Shawn notes that he does not know the criteria for the approval but expresses concern regarding the close vicinity to residents. He explains that if the building owner agreed to the Planning Board terms, all leasees would also have to abide by those agreements.

Dr. Farah confirms the main issue is that Mr. Cormier is trying to register his vehicle in Danville and doesn't have a location. Mr. Cormier agrees. He notes that he did put a mailbox out at that address. Shawn notes that he may need a physical address. Dr. Farah clarifies the question is that Mr. Cormier is subletting in an industrial complex, so he can use that as his address. She suggests that Chris Tracy (Town Clerk) may be the answer. Shawn confirms with Steve the building is erected but not finished and there is no occupancy permit. Shawn explains that it is hard to register a vehicle to an address that is a "work in progress". Steve asks why Mr. Cormier can't register his truck at his current address. Mr. Cormier explains that where he is currently parked is just a parking space for the truck to sit until the bays are completed. He states that he wants to register the truck for the space he intends to use rather than changing everything later. Sheila states she believed that trucks were registered to a residence. Mr. Cormier clarifies that he has to register the truck to a business address. His LLC is registered with the State for the Town of Danville.

Dr. Farah questions why an occupancy permit would be required if the physical address is already there. Steve expresses his concern with the owner's previous issues with operating hours. Steve questions if the Planning Board put any restrictions on the number of vehicles that can be on that property. Dr. Farah notes that would be an issue for the Town Clerk, to register only the number of vehicles allowed. Steve notes that it is not clear if there is a restriction. There is a discussion regarding changing the business with the Planning Board. Shawn notes the BOS can all agree that this is not a Home Occupation. Mr. Cormier asks if he was handed the wrong package to fill out. He notes that he spoke with "Susan" and that he handed her his title application from the credit union that specifically states his LLC, his name, address, and the address is for 12 Olde Rd. "Susan" had explained that because it was a new LLC, he (Mr. Cormier) would have to submit an application for a new business. Steve suggests that he (Mr. Cormier) is in "unchartered waters" that the Town Clerk hasn't dealt with before. Mr. Cormier asks if there is a different application. Shawn notes that the location may not be accessible because the owner is still going through the Planning Board and dealing with issues. After everything is approved by the Planning Board, then any business should be able to register at that location. If the issues are not settled, the conditions could change. Shawn notes that until then, the owner can't lease because the lessee doesn't know the conditions. Dr. Farah notes that is an issue between the owner and the renter. Mr. Cormier reiterates that he is currently just renting "space" to give himself a location. Dr. Farah and Steve agree this could be a miscommunication. Mr. Cormier only needs to register his truck. Mr. Cormier reminds the BOS that he needs to get his truck registered as the first step in the process, otherwise he will have to go through the process of changing the address. Shawn suggests that Mr. Cormier bring a copy of the lease to prove it is a valid address. Mr. Cormier expresses his concern that he was told the issue was him

being a new business in Danville. Dr. Farah, Steve, and Shawn all agree it is a communication issue. Dr. Farah suggests the BOS put a note on the current application explaining the situation and that it is okay to register the truck to that address.

II. Old/New Business

Dog License Civil Forfeitures: Police Chief Wade Parsons reminds the BOS that all dogs must be licensed by May 1 and the Civil Forfeitures process begins after that. For the past four (4) to five (5) years the Police Dept. has handled the Civil Forfeiture process, but they feel it is time to hand it over to the Animal Control Officer (ACO). He notes the Police Dept. will assist her (the ACO) with serving any civil forfeitures to residents she may not be comfortable with. Chief Parsons reiterates that it makes sense to transfer that baton.

Dr. Farah notes that when she "sat on the BOS before, the issue was a "big bone of contention" that the ACO was doing it and the Police Dept. wanted to take it over". She asks why it is changing again. Chief Parsons states that at that time it was "not in good shape" and the Police Dept "has everything organized and in good shape now. They are handing over a clean plate and she (Sheila/ACO) should have no issues moving forward." Dr. Farah asks what wasn't organized before. Chief Parsons replies "the records." Dr. Farah asks if the records were done on an annual basis. LT Merced explains this was something that she primarily handled. She explains that the Police took the process over the year the ACO responsibilities went back to the Police Dept. and has stayed with the Police Dept. since then. LT Merced states there was an issue with the record keeping. She gives an example that the Town Clerk had not received any receipts as proof of service. The Police Dept. created a system: they have a record, the defendant gets a record, and the Town Clerk gets a record of the Civil Forfeitures served. Through this process, the Police Dept. was able to clean up the dogs that had passed, moved, etc. At this point the Police Dept. wants to give the process back to the ACO. LT Merced states that she does not want to fight anybody, they just believe it is the ACO's responsibility.

Dr. Farah confirms the Police Dept. set up the system that works. She asks if the Police Dept. was also turning over this new "system". LT Merced explains that they can "tell her what we did, but she's elected and can do what she wants with it." Dr. Farah asks again "you're not going to give her access to the system?" LT Merced states that it is a paper system. It is a citation that she created and had printed as a three-part carbon form at Hampstead Print and Copy. Dr. Farah confirms that all the records are paper and there are no electronic means of keeping track. LT Merced explains that Chris Tracy (Town Clerk) is the only one with an electronic copy and the only one who can add or remove from that list. Shawn notes that she (Ms. Tracy) has a system that she has to enter everything into and believes that is coordinated with the State. LT Merced states that she is unsure but knows that Ms. Tracy is the only one who can change the list, add, remove, adjust fines, etc. She (Ms. Tracy) generates the list and dates from that system and that is the list that she provides to the BOS and then presents to the Police Dept. or the ACO. Dr. Farah notes the Town Clerk always generates the list. Sheila and LT Merced agree.

Dr. Farah asks for clarification of what was wrong and what was cleaned up. LT Merced explains that they would go out to an owner on the list who had already reported that their dog had died. When they went back to the Town Clerk and asked what records she had that indicated the owner was served, the dog was dead, etc., the Town Clerk said that she never received anything. Because she never received anything, she would have to go on the good faith of the resident to say that they were served a citation. The Town Clerk never got a copy of the citations, so she couldn't update her records. There was no documentation. Dr. Farah confirms that LT Merced had developed a piece of paper to hand to the Town Clerk. She clarifies that "she is just trying to figure this out." LT Merced clarifies that she created the citation based on the information that the Town Clerk needs, it is a three-part copy. LT Merced explains she would bring a stack of citations that had been served to the Town Clerk so she (the Town Clerk) could update her records.

Sheila states that was the "old system", a paper form that was filled out by hand from the list provided by the Town Clerk. She notes the new system is all computerized. Letters are generated for each resident and two copies are printed out, one for the Town Clerk and one for the dog owner. Sheila explains that she would note directly on the list when the letter was served. Sheila also notes the computerized letters are all pre-dated, so even if the dog owner tries to pay before being served, they would still have to pay the fine. LT Merced notes the law provides for payment

fifteen (15) days from the date of service. Sheila notes the dog owners are still charged \$1.00 for each month the dog is not registered, even if they haven't been served the Civil Forfeiture notice. LT Merced states that she is not going to argue about it. Shawn states "just hand it back." Dr. Farah reiterates that "the point is, she (Dr. Farah) sat on the BOS years ago when the argument was made for the Police Dept. to adopt this function and she doesn't see what has changed." Shawn disagrees and says the change is that "the process is working". Dr. Farah asks "if the process is working, why give it back to the ACO?" Shawn notes the issues were with the "feedback mechanism" that never brought the information back when the owners were served, so the lists were never updated. Now the process runs smoothly. Shawn notes that he understands the Police Dept. position that the Town has said they want animal control done by an ACO, and notes the Police Dept. has brought the process to where it is working and doing its job and that he hopes that transferring the process to the ACO will keep it that way.

Dr. Farah clarifies that the citations are issued physically. She notes that she personally does not think a civilian should be knocking on peoples' doors and giving them citations. LT Merced responds "that is not up to us". She reminds them that Chief Parsons offered to send an officer for safety if necessary, to any questionable addresses. Dr. Farah notes that "if issuing citations, it should come from a Police Officer". LT Merced responds that because it's a "civil forfeiture" the Police do not have to serve it. Dr. Farah understands but states that "if they have the option, it should be coming from a police officer... for safety reasons." LT Merced responds that this an ACO issue. Shawn notes that if the ACO doesn't feel safe dealing with a citation, there is a good chance she will potentially be going to the same residence to deal with an animal matter. Dr. Farah disagrees. LT Merced and Chief Parsons note that raises the issue with citing for vicious dogs. LT Merced notes that if dogs remain unlicensed after fifteen (15) days of being served, the owners would need to go to court. The Police Dept. would then become involved because they have to make the complaint to go to court and they would be asking for the documentation that the citation was served. Shawn reiterates the importance of having the paperwork complete before going to Court. He notes his support of returning the job of issuing the civil forfeitures to the ACO. LT Merced reiterates the Police Dept. "just wants to give the responsibility back and whatever the ACO or any ACO wants to do". Shawn agrees the process should be between the ACO, the Town, and the BOS and to "take the Police Dept. out of the equation."

Dr. Farah disagrees noting that "after fifteen (15) days, the Police Dept. has to step in anyways." LT Merced notes that last year's list had approximately two hundred (200) dog owners on it, but only ten (10) to eleven (11) required a court complaint, the rest were resolved.

Steve asks what Sheila's feelings are about the issue. She responds "they're doing a great job, let them keep it. That was the bone of contention since 2013, we went through the whole thing every year. They're doing a great job, let them keep doing the great job they're doing." LT Merced states that she wants to "make the point that the Police Dept. has been accused of keeping the ACO from doing her job. The Police Dept. can do it, they're capable and have been doing it, but the Police Dept. has been accused of interfering with the ACO duties." Shawn notes the BOS has until June 20, when the list comes out, to make a decision. He asks that the issue be put on the next agenda.

Health and Septic Inspection Fees: Shawn refers to the previous discussion regarding the need for a public hearing on the new fee structure and notes that all the other fees are divided between the Inspector (75%) and the Town (25%) according to Town Policy 2-1ⁱ. He explains that after reviewing the new fee structure, he does not believe that cost structure was reflected in the new fee proposal, and the BOS will need to make adjustments to those fees to reflect that cost structure and keep the division of the Health and Septic fees consistent with all the other inspection fees. Dr. Farah clarifies that the new Septic fee of \$50.00 would only allow the Inspector to receive the whole \$50.00 and the BOS would need to set the fee higher for the Town to receive their share of the inspection fee. Sheila notes that during her septic inspection it stated on the application that the Health Officer received a portion of the fees. Dr. Farah notes an issue is the current Town Policy 2-1ⁱⁱ does not specify anything for Septic fees. She asks why it was left out of the policy. Shawn suggests that it was probably an oversight. Dr. Farah suggests the BOS change, update, and re-ratify Town Policy 2-1ⁱⁱⁱ from the 2017 date. She also notes the BOS should be updating and ratifying these policies annually. Dr. Farah asks if changing the policy would also require a public hearing. Sheila asks if the inspection charges are for each time an inspector goes out. Shawn explains how the inspections are structured for each phase of a project. If an inspection fails at any of those steps, a re-inspection fee must be pre-paid at the Town Hall before a re-inspection is scheduled. Those extra fees are also divided between the inspector and the Town the

same way as the original permit fees. Dr. Farah suggests the BOS discuss the proposed fees and structure with the Health Officer candidate they will be meeting with in a later Non-Public session. She agrees with Shawn that the division of the fees should remain consistent. Steve agrees with Shawn that the new fees should cover the cost of the inspector. Shawn explains the Town's 25% is to make the inspection/permit program pay for itself, noting the Town does all the paperwork, state filings, etc. The idea was for the permits to be a "self-funding" program. Dr. Farah expresses her concern that the Town remains consistent with the other surrounding towns. The consensus of the BOS is to explore this issue further. Kim explains the results of her previous research and will ask for more details. She notes that Atkinson has a part-time employee with a budgeted salary, so the only comparative is Sandown who uses on-call inspectors for their inspections.

Street Lighting: Kim explains that she has received the first proposal to convert all the Towns' street lights to LED. The proposal states that the payback of the project is approximately four and one-half (4-1/2) years. Sheila clarifies that the electrical companies maintain the street lights. Shawn explains it is the Town that pays the bill. Dr. Farah confirms that this is only the first quote. She notes that she is on the Energy Committee for the School and they are changing everything over to LED, but are using a different company. She states that she feels that four and one-half (4-1/2) years is a long payback, noting that it should be more in the range of two(2) to three(3) years and that she will provide more information to Kim. Shawn explains that this is just to start the process, noting the Town has twenty-two (22) lights between three (3) different vendors and multiple levels of technology and that those technologies determine the costs of each street light. Sheila asks for clarification that the BOS is talking only about the street lights. Dr. Farah clarifies that the school is talking both inside and outside lights, and suggests the BOS should consider changing everything in the Town buildings as the payback (in savings) is two (2) to three (3) years.

Sheila notes that she remembers Patty Hess working on this same project several years ago and thought the street lights were changed then. Shawn disagrees, noting the Town has street lights from Unitil, NH Electric Cooperative, and Eversource. Shawn confirms with Kim that this first proposal is from a company that works with Unitil and notes there may be issues with working with the street lights from the other companies. He explains that "the technology of a given street light dictates the price that it is going to be. If the Town can replace all that mechanism with a high-efficiency LED system, the rate drops down." He states the next question is what is the ROI (return on investment), noting that four and one-half (4-1/2) years is too long and suggests that maybe other alternatives, companies, etc. may be more appropriate. Dr. Farah thanks Kim for putting the proposal together because it provides all the information for each street light. She reiterates that she will provide information from her Committee meeting to Kim for further research. She also suggests the Town might want to use the same consultant that the school used.

FirstLight Telephone Contract: Kim explains the BOS wanted to add a conference room phone. She completed an audit of all the phones and the quote she is presenting shows what the Town is currently paying and the projected costs over the next three (3) years. Dr. Farah asks why the BOS needs something like this. Shawn explains that if they are doing a conference call, they currently use the "speakerphone" of a handheld receiver. He confirms with Dr. Farah they are looking at a Polycom type system. Dr. Farah questions why they would be paying a monthly fee. Kim explains the Town thought they had digital phones, but they actually have analog phones and would need a dedicated phone line for the conference room phone. Dr. Farah reiterates her question of the need for a conference phone. Kim notes the previous needs during COVID, ZOOM meetings, etc. Shawn reminds the BOS of recent meetings where they had to use the hand-held receiver for BOS members calling in. Dr. Farah asks why they are using conference calls for ZOOM meetings. Kim gave her a quick update on the previously discussed issues of managing ZOOM meetings without IT support. Shawn explains there are deeper issues regarding public meetings. Dr. Farah expresses concern with the \$35 monthly fee. Kim clarifies the current costs are on the front of the quote and the extended costs are on the back page. Shawn explains that three lines were removed during the audit. Dr. Farah notes there is a net saving realized by dropping the three lines and adding the conference phone. Shawn notes the BOS has needed a conference phone when connecting with Town Counsel. Dr. Farah suggests they could plug the conference phone into an existing line when it is needed rather than add another line. Shawn asks Kim to research a "Polycom" type of phone system that could be used on the current system. Dr. Farah notes that she has used the SAU Polycom at home. Shawn explains it would depend on how it was configured on the phone system. Kim reads from the quote that they can use an existing line, noting that there is a dedicated phone line in her office that they could use for the conference phone. Renting the phone equipment is only \$24.35/ month. Shawn notes

it is still a net saving and agrees the Town doesn't need another line. The consensus of the BOS is to get the equipment and not add another line. Kim will move forward with the agreement.

Default Budget: Shawn explains how to read the paperwork he shared with the BOS reflecting his changes in the default budget. He gives the example of the first line: Software Support and Contracts, explaining that maintenance contract costs must be part of the default budget. There is further discussion of how to read the spreadsheet. Shawn clarifies that the worksheet is a cut and paste of only the lines he adjusted. The BOS reviews the adjusted lines and discusses the process of how the amounts were determined. Shawn explains that he created a parallel default budget and highlighted where he had a different viewpoint with Sheila's numbers. The result was a revised increase in the default budget from \$3,774,605 to \$3,807,065. Shawn motions to approve the updated default budget in the amount of \$3,807,065. Second by Dr. Farah. Vote is unanimous (5-0).

Shawn reads the Town Announcements listed below.

Signature File: Sheila questions a Home Occupation Permit that was signed for Northeastern Property Development, expressing her concern with the type of business that was listed. Steve reviews the application and reads that the business is listed as contracting and electrical, and the type of work was listed as general contracting. He notes that nothing was stated about trucking.

Minutes: The BOS review the minutes of the March 8, 2021 public BOS meeting that had been updated by Karen Steele. The following adjustments were made:

- ✚ Line #41 to read "**All** Wells in Danville"
- ✚ Line #52 to read "there was a large spill of **1,4 Dioxane**"
- ✚ Line #55 to read "but **it didn't appear to produce** any water"
- ✚ Line #67 to read "Ms. Steele explains anyone who pumps **more than** 20,000 gals of water"
- ✚ Line #69- corrected to **19,999**
- ✚ Line #81- Corrected spelling Steel to **Steele**
- ✚ Line #83 to read "This **overpumping** caused 32 private wells"
- ✚ Line #84 to read "run dry **in July 2018**".
- ✚ Line #135 to read "**If they** got together"
- ✚ Line #136 to read "community well", they could not do that".
- ✚ Line #150-151 to read "that HAWC had been making small, but frequent franchise requests in Atkinson, **and now almost all of Atkinson is franchised to HAWC**".
- ✚ Line #157- Corrected spelling Steel to **Steele**
- ✚ Line #158 to read "HAWC **said they were unable** to provide water"
- ✚ Line #161- Corrected spelling hold to holds
- ✚ Line #162 to read "developers in those franchise **areas**".
- ✚ Line #184-187 to read "tank in Atkinson as well as having **one (1) tank at corporate headquarters in Atkinson and one (1) storage tanks** in Hampstead".
- ✚ Line #207-208 to read " is Docket #**DW 20-117** (DW= Drinking Water)".
- ✚ Line #210 to read "one **hundred (100)** cubic foot of water"
- ✚ Line #221- Corrected number from \$2800 to **\$2838**"
- ✚ Line #222- Insert "Hampstead, **with 47 hydrants,**"
- ✚ Line #236- Corrected number from \$1500 to **\$1,500,000**"
- ✚ Line #256 to read "if HAWC is **a potential** court-order**ed** to pipe water"
- ✚ Line #276 to read "were **interconnected** in 2009"
- ✚ Line #304- Corrected date: March 28,2021 corrected to **March 26. 2021**
- ✚ Line #312 to read "increase from \$6.11/ccf to **\$7.22/ccf**."
- ✚ Line #338 to read "from the **Merrimack River** and is just going out to bid on the filtration house for Phase **#2**"
- ✚ Line #362 to read "docket (DW **20-117**)".
- ✚ Line #411 to read "the deadline is March **26**".

Dr. Farah motions to approve the March 8, 2021 BOS public minutes as revised by Karen Steele. Second by Sheila. Vote is unanimous (5-0).

The BOS review the minutes for the March 22, 2021 BOS public meeting. Dr. Farah motions to approve the minutes for the March 22, 2021 BOS public meeting as written. Second by Dottie. Vote is unanimous (5-0).

The BOS review the minutes for the March 22, 2021 Non-Public BOS meeting. Dr. Farah motions to approve the minutes for the March 22, 2021 Non-Public BOS meeting as written. Second by Dottie. Vote is unanimous (5-0).

The BOS review the minutes for the March 31, 2021 Non-Public BOS meeting under NH RSA 91-A 3:II(c). Dr. Farah motions to approve the minutes for the March 31, 2021 Non-Public BOS meeting as written. Second by Sheila. Vote is unanimous (5-0).

Land Updates: Dr. Farah states that she is working with the American Legion regarding the parcel of land discussed at the last meeting. She confirms with Kim they are still researching for more information and the deed for that land.




Shawn states that he had a conversation with the building inspector regarding the property adjacent to the Olde Meeting House, and was told that the property was not part of the Historic District according to the building inspector's maps. Kim explains that his maps were incorrect. Only the front part of the property is in the Historic District and the property line comes to a point (per the court case). There is also DOT information that shows a piece of the property is also owned by the State. The portion of the property right before the stone wall is in the Historic District. The owners' property itself is not in the Historic District. Shawn explains the issue is a stone boundary wall was removed, and even if that is not in the Historic District, the BOS would be dealing with the issue and would be doing the same thing as the Heritage Committee asking, "What is your plan to put this wall back to its' original state." Shawn notes that is the crux of the problem. Kim explains that according to the court case, the stone wall is the property line up to MC Homes and is also on the property of the Historic District. Shawn clarifies that Heritage would have jurisdiction because the wall is adjacent to Historic property and the boundary line has been altered with the removal of the stone wall. Shawn states there is a State Statute against doing that.




Kim confirms that the letter from Town Counsel to MC Homes is correct. She explains that she gave the building inspector a copy of the plan and the application for the Historic District. Everybody is now on the same page. The Landowner will fix the issue from the point to where the stone wall ends and will present their plan to Heritage on April 14. Shawn notes that he was updated by Carol Baird (Chair, Heritage Committee) and had told her to contact Town Counsel for advice. Kim states that she believes, as of today, everyone is on the same page. Shawn states that he believes that Town Counsel is as well. Shawn notes that he will wait for further updates on the issue.

Sheila explains that she watched the last Planning Board meeting and confirms "that gentleman" has not come forward to meet with the BOS. Steve confirms the person and states that they met with him regarding fire protection and believes that he ("that gentleman") will be before the BOS shortly. Sheila notes there are questions regarding two (2) parcels of land. Shawn explains there were some land disputes with the previous owner. Kim explains the current deed is factual back to the 1800s and shows a 115 -acre lot. That is what the Wellington Farm purchased without the second lot in question. She notes that she thinks "that gentleman" wants clarification and notes that the recorded deed has that information. Shawn states the BOS needs to look into this as well "with a fine-toothed comb" because the Town has dealt with this before.

III. Town Announcements

Calendar

-  **April 10- Saturday:** Rabies Clinic at the Kimball Safety Complex 10:00AM-1:00PM
-  **April 18- Monday:** Board of Selectman's Meeting at the Town Hall 7:00PM
-  **April 24- Saturday:** Bulk Pick-Up

-  **April 24- Saturday:** Household Hazardous Waste Drop Off: Plaistow, 51 Old County Rd (Recreation Field) from 9:00AM-12:00PM
-  **June 5- Saturday:** Town Deliberative Session at the Community Center 10:00AM
-  **July 13- Tuesday:** Town Elections at the Community Center 8:00AM-8:00PM

There being no further items to discuss Dr. Farah motions to go into Non-Public session under NH RSA 91-A 3:II(b). Second by Dottie. Roll Call vote: Shawn- yes, Steve- yes, Sheila- yes, Dottie- yes, Dr. Farah- yes.

Non-Public Session begins at 8:55PM

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

Respectfully Submitted
Deborah A. Christie

ⁱ See Attached Document

ⁱⁱ *IBID*

ⁱⁱⁱ *IBID*



Town of Danville
New Hampshire 03849

POLICY #2-1 Contractor Permits and Fees

Purpose:

To establish the procedure for permits issued from the Selectmen's office, specifically electrical, plumbing, mechanical, fire, and building permits.

Policy:

It is the policy of the Town of Danville that the permit fees will be set by the Board of Selectmen, as outlined in Zoning Ordinance Article IX.A.3 and RSA 41:9-a. The Board of Selectmen shall post a notice including a proposed schedule of new or amended fees and hold a public hearing before imposing or changing such fees.

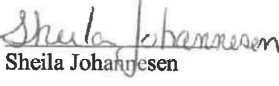
Driveway applications and electrical, plumbing, mechanical, and fire inspection permits will be issued during the normal business hours of the Selectmen's office. Building permits may be issued at the Town Hall during hours assigned by the building inspector. Applications and permit records are maintained in the Selectmen's office.

Inspectors are contracted by the Selectmen and receive 75% of the total revenue collected for the application and the inspection. Inspectors will be paid no less than quarterly. Inspectors will be paid after confirmation of inspection or when the permit has expired.

Danville Board of Selectmen:


Shawn O'Neil – Chairman


Judi Cogswell – Vice Chairman


Sheila Johansen


David Knight


Scott Borucki

Date: 6-5-2017