

**This document is for informational purposes only.
The original document may be obtained at the Town Hall.**

Town of Danville
Board of Selectmen
Monday, May 3, 2021
7:00 PM

7:02 PM

Meeting is Video-Recorded

Selectmen Present: Shawn O'Neil, Chair; Steve Woitkun, Vice-Chair; Sheila Johannesen, Dottie Billbrough, and Dr. Kim Farah (arrives at 7:09)

Others Present: Kimberly Burnham, Selectmen Administrator; Stacy O'Connor, Recreation Dept.; Nathan Auclair, Danville Youth Baseball; Carol Baird, Chair, Heritage Commission, Barry Hantman, Camera Operator, Troop Leader Boy Scout Troop #213; Jim Seaver, Road Agent

Shawn called the meeting to order at 7:02 PM 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

Recreation Dept: Stacy O'Connor updates the issue with scheduling the fields to the BOS. She discovered that the schedules were sent to Kim at the Selectmen's Office rather than to her at the Recreation Dept. She thanks Kim for noticing and forwarding the schedules to her. Ms. O'Connor notes that for the past three years the leagues have been told to send their schedules to her. Shawn agrees the information should "flow where we want it to flow", but at least it did come in.

Ms. O'Connor states that when she was checking the fields there were enormous amounts of dog poop on both the Day Field and on Goldwaite. She expresses her concern about the kids playing and sliding in it. She notes there are doggie bags available at both fields, but they are not being used. She asks the BOS for ideas of how to address the issue, perhaps going as far as to say "no dogs on the fields". Shawn states that it could get to that point, noting it ruins it for others who do pick up after their dogs. Nathan Auclair, the new baseball coordinator, states that he picked up most of the dog poop himself. Ms. O'Connor notes that Day Field was worse than Goldwaite. Sheila asks who puts out the trash barrels for the season. Kim states the Town does and confirms the barrels are out now. There is a brief discussion that the problem may be there are no barrels out during the winter. Ms. O'Connor asks who brings the barrels to Diamond from Goldwaite Field. Shawn states he doesn't know who, but that someone has been taking care of it. Ms. O'Connor will follow up to find out who usually takes care of it and ensure it continues.

Regarding the dog issue, Shawn suggests that the Town needs to enforce the rules more. He states that he will ask Chief Parsons to patrol the fields more often, making sure the owners are picking up after their dogs. Sheila suggests posting a sign. Ms. O'Connor states there is a huge sign by the Porta-Potty with the doggie bags attached. Shawn suggests that the ACO could do some public service announcements about the issue. Sheila states she is agreeable to doing that. She notes the Highway Dept. complained that doggie bags were being used, but were tossed into the woods. Ms. O'Connor notes the irony of the huge dumpster at Day Field that people could toss their doggie bags into. Sheila states that other towns have been having this same issue and it has resulted in them closing their fields to dogs. She agrees that the Town needs to start enforcing the rules of owners picking up after their dogs.

Ms. O'Connor asks the BOS for permission to lock the double gates at Day Field on the Library side. She notes the landscapers would have a key, as it would be the same lock as used on Colby Field. Kim will follow up on that. Dr. Farah arrives at the meeting at 7:09 PM

Danville Youth Baseball: Nathan Auclair is the new coordinator for the Danville Youth Baseball league. He notes he was waiting for Chip Current (former baseball coordinator) and Jim Seaver (Road Agent). Mr. Auclair states that he feels the communication has become better with regards to using the fields. He asks the BOS for clarification of the League's responsibilities and the Town's responsibilities regarding repairs and upkeep of the fields and structures, noting that he did not get any guidance from Mr. Current when he (Mr. Auclair) took over the League.

Mr. Auclair outlines some of the issues he would like to address. He states that the main issue is the fences. On the Day Field, the League has "shored them up around the dugouts". Rob Armana put some composite boards along the fence to address the fence sticking out as that was a safety issue. He also notes that the fence does not close out in center field, and that when he was putting the signs up, the fence was significantly pulling away from the post on the Market side. Mr. Auclair notes that the fence just needs some attention and he needs to figure out who and how to fix it, and who needs to budget for it.

Mr. Auclair states that after the Baseball season has ended, the League would like to lift the field as it is sinking. Ms. O'Connor agrees, noting that it has been sinking over the past several years. The League would like to fill the field with topsoil and seed it around the middle of September and would like assurance that once the field is seeded that it is closed to the public. Mr. Auclair also asks if the Road Agent would have the resources to keep it watered. He notes that Goldwaite needs some similar work, but on a much smaller scale. Mr. Auclair reiterates that the League can get through their season on the existing fields, but notes the field is right in the center of Town and they (the fields) should be looking great as it benefits everyone. He reassures the BOS that the League will be able to fix the field from the League budget, but asks if he could consult with the Road Agent regarding fixing the fences. Shawn agrees, noting the Road Agent is also in charge of Parks and Recreation and has a budget for that. He suggests that Mr. Auclair and Mr. Seaver (Road Agent) assess the issues and figure out the costs and cost-sharing with the League. Mr. Seaver confirms the dugout roof on the third-base side was repaired. Kim explains they hired Norm Collins to repair the vandalism that was done on the field and that he also repaired the roof of the dugout at that time.

Mr. Auclair notes that the League has lots of parent volunteers with the skillsets to fix things. Shawn states that it is a great way to stretch funds and notes that Mr. Auclair has mentioned things that are quick to fix. He asks that the League do some long-term planning so the Town can prepare for needed repairs. He suggests that the League put a plan in place that can be handed down as the League's leadership changes. Mr. Auclair asks Kim what further information she needs. She asks for a list of the issues after he walks with Mr. Seaver as well as the who, what, and why. Shawn adds the League will need to coordinate with Mr. Seaver when they do the fields in the Fall. He suggests that they put up signs closing the fields during that time. Mr. Auclair confirms with Ms. O'Connor there are no football games scheduled for the Day Field and that the movie nights will end in August. It is confirmed that mid-September will be a good time to repair the field.

Ms. O'Connor asks about the Porta-Potties. It is confirmed that the Baseball League pays for them during their season which ends in June. The Recreation Dept usually takes over the payments until the end of August. Ms. O'Connor notes that "Molly" used to send the invoice to the Recreation Dept. Mr. Auclair states that he will follow up with her on the matter.

II. Agenda

Boy Scout Request: Mr. Hantman, Troop Leader, explains that there are two Scouts from Troop #213 that have earned the rank of Eagle Scout. Their ceremony will be held at the church on Sunday, June 6, at 1:30 PM. In the past, the Scouts have had a Selectman present the certificates and give a short speech. Mr. Hantman states that he is asking if the BOS would be able to do that again. Shawn tables the request for further discussion. Mr. Hantman explains that he will need the information to put it in the program and notes that it can be a "really short speech."

MC Homes, LLC: Carol Baird, Chair of the Heritage Commission provides the BOS with a copy of Map #4, Lot #75, Sub Lot 1 after the Court ruling in reference to the current MC Homes construction project. On the left side of the map is MC Homes' subdivision plan and on the right side is the Conservators' plan after the Court ruling. She notes the driveway is not shown on her map. Kim states the BOS has received a separate copy of the DOT map showing

the proposed driveway and surrounding environmental structures. Shawn states he understands that MC Homes must cut a path to the property. The BOS has received a letter from the DOT outlining a recent decision that was made regarding the driveway for MC Homes. The DOT is saying that the reconstruction of the wall can be within ten feet (10') of the drainage. Ms. Baird confirms that this refers to ten feet (10') from the culvert under the driveway that's on the north side. She notes that is new and not on the driveway plan and was never raised before when the driveway was initially installed. The stone wall was there until January 2021 and the stone wall is shown on both sets of plans. Shawn notes that in the April 27, 2021 letter from the DOT, they state they (the DOT) can move the wall up to ten feet (10') from the culvert and the reconstruction of the stone wall can only be up to that amount.

Ms. Baird confirms this is what the DOT is stating. She notes the Town was not invited to that meeting with the DOT. She has also found the DOT's policy guidelines regarding stone walls and in at least four places in the policy, the DOT discusses the NH RSA that forbids removing of boundary walls unless there is joint consent from both owners. If the DOT takes out a wall and cannot reconstruct it, they must reimburse the owners for the damages. Ms. Baird questions if the DOT is aware that the issue is a boundary wall per the Court's decision. Shawn asks for the Heritage Commission to ask these specific questions and see what the DOT's answer is.

Ms. Baird responds that the Heritage Commission has decided this is a BOS issue as they do not have the authority to say that less than ten feet (10') of the wall has to be reconstructed. She notes this is the third department of the DOT that has been brought into this issue. The DOT has been involved regarding the right-of-way with the easement, the issue with the Town signs, and now District #6 with the stone wall issue. Ms. Baird states the ten feet (10') issue has been an issue with MC Homes from the beginning when they got the notice, noting they also brought it up with Heritage. Shawn expresses concern that the Town was not contacted regarding the DOT meeting because this is a boundary issue. Ms. Baird notes her concern especially when the DOT decision violates its' own policy.

Dr. Farah suggests the BOS draft a letter back to the engineer stating "this is a boundary wall and as such the Town wants it restored as it was" and to also question why the DOT is stating "that it can be done as it was outlined in the letter".

Ms. Baird states that when the wall was removed, MC Homes destroyed the line where the wall is supposed to be. She questions if the wall is even near the culvert where the water would drain through. Shawn states there have been several surveys and the line could be re-surveyed and marked out. Ms. Baird notes there is now a big ditch where the stone wall was supposed to be, and that the line needs to be snapped again so the wall is put back in the right place. The DOT would not be able to see where the wall was supposed to be when they made their decision because there is nothing there but a ditch. Dottie notes that according to the plan, the drainage ditch is behind the wall, not where it is depicted on the DOT map. Shawn states the BOS needs to raise all these issues with District #6.

Dr. Farah reiterates her suggestion that Kim and Ms. Baird draft a letter and that the BOS give Shawn the authority to sign it and send it out quickly. Ms. Baird suggests giving the DOT a set of the boundary plans. Shawn reiterates the importance of noting this is a boundary line and the Town was not part of the decision, so the DOT is not even following their own policies. Ms. Baird notes that going forward, since the only place for public parking for the Olde Meeting House and the cemetery park is between the southern boundary and the cemetery wall, that the DOT understand that small strip of land is important to the Town. Shawn agrees, noting that parking is needed for the annual BOS meeting at the Olde Meeting House.

Ms. Baird states that MC Homes is out of time to do anything with the Heritage Commission with regards to the paperwork and that they were told that. She states the Heritage Commission gave MC Homes a timeline that would have brought them up to June. However, the Commission has only received an unsigned review with no attachment. The Commission returned it to MC Homes and gave them thirteen (13) days to meet the BOS' 90-day requirement. Ms. Baird states that she called MC Homes as a courtesy to remind them of the deadline. MC Homes then came, unannounced, to the Heritage Commission meeting and started challenging the survey, the court decision, etc., and made no mention of rebuilding the wall and had no application for review. It is now too late to go through the Heritage process and the issue needs to go back to the BOS. Ms. Baird notes that at some point MC Homes will sell the house. Shawn states that they cannot sell the house without an occupancy permit and the Town will not give

them an occupancy permit unless the issues with the stone wall are addressed. Ms. Baird notes that unless this issue is resolved it will be a chronic problem. Dr. Farah asks the Heritage Commission to write a letter to the BOS stating the MC Homes will not be able to meet their deadline so that the BOS can send a letter to MC Homes stating that they have been notified by the Heritage Commission of such. Ms. Baird confirms the need for a formal letter and reminds the BOS it is important to let the DOT know that this issue involves Town land, and this is the third time the DOT has come forward with some issue. Sheila confirms with Shawn that the BOS has the authority to hold up the occupancy permit because of these issues. Ms. Baird states that “Cynthia” has measured from the south corner of the old wall down to the point where the Town’s land ends and that “you can see where the wall has been disturbed. If you measure from what hasn’t been disturbed to where the Town’s land ends, it can be calculated how much of the wall needs to be restored.” Ms. Baird notes the ten feet (10’) is such a big issue because there is not a lot of access to the building lot. She notes the Heritage Commission has the entire file on the boundary issues. She states the Commission tried to work with MC Homes, they gave them the forms, answered their questions, and informed them of the expectations. She clarifies the follow-up process discussed.

RSA 79-D Discretionary Preservation Easements¹: Dr. Farah has submitted an application requesting a discretionary easement on her barn under NH RSA 79-D and expresses her concern that it was improperly reflected on the agenda as a Historic District Application and it is not. Kim explains that it was put on the agenda as it was presented to her. Ms. Baird confirms that it is not a Historic District issue, and reminds the BOS that another resident had put such an easement on their barn several years ago. The RSA is there because the State of NH is encouraging the saving of old barns because they are disappearing, and while it is not a “Heritage oversight thing”, the Commission likes to be aware that an easement has happened. Dr. Farah and Kim clarify the application and agenda issue is for the approval of the barn application, not as a Historic District, but as a discretionary easement. Dr. Farah explains that she is requesting a discretionary easement under NH RSA 79-D on her barn. This will reduce the taxable value of her barn. The BOS needs to approve her application and then they must hold a public hearing on the application.

Ms. Baird explains that the application is a preservation easement that requires a minimum of ten (10) years and that the homeowner does get some tax relief on that property. The easement can be used on any agricultural building. The purpose is to save these buildings from disappearing. Ms. Baird clarifies that these easements are separate from the Historic District.

Dr. Farah states that she learned of the program because Kingston is trying to get people to save their barns. She explains that under the program if the owner invests in repairs to the barn, they will not be taxed on those repairs. The incentive is to have owners repair and preserve barns without worrying about additional taxes. Ms. Baird notes that it is also a good idea for the Planning Board to be aware of the easement in case there was ever a subdivision, they would need to be aware of the easement on that structure. She also notes they are trying to note these easements on the Master Plan. Shawn asks for clarification of the easement.

Dr. Farah outlines the easement. It must be for a minimum of ten (10) years but it can be for any length of time beyond that. The process ends with a written agreement between the owner and the BOS. Under the RSA, taxes on the structure are based on the assessed value at the time of the easement, and those taxes can be reduced 25%-75% of the full assessed value. At the public hearing, the BOS must state the reduction of the annual tax dollars over the life of the easement as that is a loss of tax revenue to the Town. (This is the reason for the Public Hearing). Shawn asks Kim to schedule the Public Hearing and research a previous easement that the BOS has processed to maintain consistency in the process. There is a short discussion of the previous process and what corrections need to be made to the process. Ms. Baird states that the NH Division of Historical Resources www.nh.gov/nhdhr has both guidance and templates for the process and they are very helpful. Kim will forward the link to Gail.

LED Lighting Project: The BOS review the quote from Affinity for the converting the street lights to LED. Dr. Farah confirms this is the original quote. Kim explains that she has called different towns and everyone speaks highly of Affinity. They state the company is very fair and everyone refers her back to them. Dr. Farah motions to move forward with the LED light conversion project. Second by Dottie. There is further discussion. Shawn states the quote shows the investment by Unitil, and the Town’s “all in” costs are \$11,182.89. This project will change all the Town’s street lights to LED. The average annual savings will be \$2800 per year, payback for the project will take

approximately four and a half (4-1/2) years. At ten (10) years the savings will be 120%, saving the Town almost \$15,000. Shawn calls for a vote on the motion. Vote is unanimous (5-0). The LED lighting conversion project will move forward.

Safety Complex Sign: Kim explains that she received an e-mail from a resident asking if the BOS had the history of the Danville Safety Complex sign. The resident stated that she had painted the original sign, but it has since been replaced. She was wondering if that could go in the Town Report. Shawn agrees that “if people volunteer and do stuff for the Town, they deserve recognition.” Kim explains that the FY2020 Town Report is all done, so this information would need to go into the FY2021 Town Report.

Home Business Application: The BOS review a request from Royal Auto Sales regarding a home business application. Shawn states that he feels until the owner gets a determination from the Dept. of Safety and DOT if the owner’s application will even be processed, the BOS should not entertain the application. Kim explains that the BOS approved the original home business application in 2005. They would be buying vehicles wholesale at auction and taking them to a separate location. The owners want to use their home address and would not have any vehicles at the home. Kim states she researched the issue and the original home business application was clearly approved in 2005. The State has notified the Town of the new application. Sheila and Dr. Farah read from the original application. *“purchasing cars from auto auctions and shipping the cars directly to the port. Exporting cars. I will not have any cars on the property unregistered.”* Shawn suggests the BOS contact the owner to confirm that it is the exact same business that was approved in 2005 that is currently running today. If so, Kim can forward a copy of the 2005 approved home business application to the DOT, informing them that the BOS is aware of, and has re-ratified the home business approval, and would be supportive of the owners getting their wholesale dealer license and registration. Kim states that she has spoken to the owner and the only thing that has changed is the name. Shawn explains that if the owner has a different name, they will need to reapply for the home business permit. He asks Kim to confirm the owner of record and to let the owner know that they can reapply for the home business permit under the same conditions.

Employee COVID-19 Forms: Kim states she has been asked if Town employees still must fill out the daily COVID forms. Dottie notes these instructions came from Town Counsel and suggests the BOS ask him regarding the issue. Kim asks if she can shred the forms that they currently have. Sheila and Dottie agree that the BOS should ask Town Counsel about that as well. Shawn notes that COVID is getting quite expensive

Roof Quotes: Kim has received a third quote for the Town Hall roof repairs from the Spring windstorm. She has also received an invoice for the repair of the dugout roof on Day Field. Kim suggests the Town should just pay for that repair as it is only \$500. Shawn agrees and states no BOS approval is needed. Shawn clarifies the other three (3) quotes are for fixing the Town Hall roof. Dr. Farah expresses her concern that in her recollection of the photos of the damage, there is interior repair needed that is not quoted. She notes the quotes are for “laying over stuff, but no bracing of the inside curling.” Dr. Farah reviews the photos and reiterates the need to address the interior issue, otherwise, they will have the same issue occurring again. Kim reminds the BOS that Norm Collins only repaired the front attic window which had fallen in from rot to address the heating issues upstairs. She states that Norm is too busy to do the interior roof repair and was not asked for a quote. There is a discussion regarding who and how to repair the inside roof damage. Shawn states they cannot repair the outside damage until the interior damage is remedied. Kim notes that every time the wind blows, shingles are flying everywhere. She explains the main roof is fine, the issue is with the parapets where it appears the shingles are not attached. Shawn and Dr. Farah leave the meeting to go look at the roof. Mr. Hantman notes the exterior light in the front of Town Hall is out. Kim states it is being replaced. Sheila notes that the fixture is rotted. The light on the flag is also out.

Steve reviews the roofing repair quotes and notes the estimate states that if he (the bidder) finds rotten boards, they will be replaced with plywood at \$65 per sheet. Kim expresses concern with that quote. Shawn and Dr. Farah return. Shawn suggests that Kim reach out to Carl Skinner to fix both issues. Steve reviews the pictures of the interior damage to clarify the need for more bracing as currently the boards are not attached to the roof rafters. Shawn confirms with Kim that she will contact Mr. Skinner and asks that she also ask Mr. Collins if he wants to price out the repairs. Kim confirms the request is for the interior roof repairs and asks again about the loose shingles

around the parapets. Steve confirms that is where the loose shingles are coming from. Dr. Farah questions the quote for replacing the chimney line and confirms that the chimney is not leaking. Kim states she thinks that repair was quoted because the flashing is all copper or lead. Dr. Farah and Shawn agree that they should not mess with the flashing unless the chimney is leaking. The BOS reviews the three quotes and notes that the quote from Refined Roofing LLC does include replacing the chimney flashing and shingles.

Dr. Farah refers to the second Lang Roofing estimate for \$3600 and asks what the difference was between their first estimate of over \$10,000 and the second estimate. Kim explains the first estimate included fixing the interior roof damage and the second estimate did not include any repairs to the main roof as that did not need to be repaired. She clarifies that she requested the second estimate be only for what she thought needed to be repaired. Dr. Farah suggests asking if Mr. Skinner or Mr. Collins could go up and do the work needed around the parapets. Steve and Kim both state that Mr. Collins would not go up there, the building is so high that they needed to rent a “cherry picker” to replace the siding that was damaged during the windstorm. Dr. Farah expresses concern that the quote is based strictly on a visual estimate of the damage without really knowing what needs to be fixed. She notes that the fascia boards look like they are pulled up which could account for the loose shingles.

Steve states that he had a chimney business for forty (40) years and suggests the BOS use their “in-house expertise” so they don’t continue to waste time debating these kinds of issues. He suggests having the roofing vendors deal with him as he has the experience. Dr. Farah confirms this is why she is questioning the quotes. Kim explains that she had come to the BOS with the issue and the BOS asked her to get the quotes for repairs. She states that both Lang Roofing and Refined Roofing went up into the attic. Shawn states the next time the main roof is shingled, all new sheathing will need to be installed. Dr. Farah notes they will need to remove the existing roof boards at that time as there would be too much weight on the rafters. Steve states that he will look at the situation.

American Legion Lot Agreement: The completed lot agreement with the American Legion is in the Signature File. Dr. Farah explains that Kim has confirmed it is a one-acre lot that seems like it might be buildable. She notes that she would like to know the footprint of the proposed new Police Station and asks Kim to find that information so the BOS can see if it is something they can start thinking about. Dr. Farah states that she has some concern because the lot is in the middle of a residential area, but notes it is no different than the Fire Station. Kim states that Fred (Fred Smith, Town Assessor) went down to look at the lot and stated that it was a nice, flat, and open area between two residential homes. The question now is if it is big enough. Steve confirms the location of the lot.

III. Old/New Business

Signature File: Dr. Farah notes there is a document from Communications that only needs one signature. Dr. Farah motions to authorize the Chair to sign the First Light Communications agreement. Second by Dottie. Vote is unanimous (5-0).

Discretionary Easement: Shawn asks for more clarification of the Discretionary Easement process for the barn preservation application. Kim explains that her understanding is that the BOS must approve the application first, the BOS must then have a Public Hearing to discuss the tax impact of the easement, and finally there is a written agreement between the BOS and the owner. Kim asks if the easement would go with the sale of the property. Dr. Farah states that she forgot to ask what happens if the property is sold within the ten (10) years of the easement. Mr. Hantman (as chair of the Planning Board) states that he would assume the easement would go with the sale as any other easement does, noting all these easements are recorded. Kim suggests it might depend on what is written in the BOS agreement. Dr. Farah notes that Kingston must have agreements the BOS could use as examples. Sheila reminds the BOS of the site www.nh.gov/nhdhr that Ms. Baird had referred them to, noting there may be templates for the agreements there. Dr. Farah comments that the program has been around for a long time. Sheila disagrees, stating it is relatively new. Dr. Farah responds that discretionary easements have been around for a while.

PUC/HAWC Update: Dr. Farah informs the BOS that she recently attended a PUC hearing regarding HAWC. She notes that Karen Steele sent her the link, so she (Dr. Farah) will now be added to their group. Dr. Farah explains the next meeting is regarding HAWC’s request for a temporary rate hike and that HAWC is trying to push that through.

She notes that both Hampstead and Atkinson had representatives at the meeting. The towns' representatives were able to have the meeting pushed out so the towns' BOS' would have time to weigh in on the temporary rate increase. Dr. Farah notes that Kim should be seeing this information within the next week regarding the PUC agenda and that it needed to be returned the next day. Dr. Farah explains that she put in an objection from the BOS' perspective that the increase is based on HAWC's infrastructure build-up and that Danville residents will not benefit from this because the water is not coming into Danville. She also put a word in regarding the fact that while trying to suppress a fire, the Town's hydrants ran dry. The PUC asked HAWC for their response to her questions and they had no response or rebuttal.

Kim confirms the senders of the information will be the PUC. She notes that she is getting a lot of information from all the interveners. Dr. Farah asks Kim to send her all that information. She states that she only hopped onto the meeting at the last minute, so she was really not up to speed, but she did put her "two cents" in. She also notes that Atkinson's representative did also. There is a discussion regarding the rates for privately owned water and as Karen Steele had pointed out, increasing the rates for the hydrants, etc. Dr. Farah reiterates the upcoming hearing is for the temporary rate increase. She believes the BOS can state that they do not agree with it and send it back to the PUC. Dr. Farah states that she is not clear where it goes from there, but at least the BOS is voicing their opinion. Kim reminds the BOS the original reason Danville intervened was based on the fact that HAWC's infrastructure upgrades did not include Danville. Sheila notes that she has already seen signs banning water sprinklers going up. Kim confirms these do not apply to private wells.

Shawn expresses concern that there were no Danville representatives at the previous meeting and wants to be sure that Danville is represented at every meeting. He asks if Dr. Farah will be there and suggests asking for a volunteer from Colby Pond to represent Danville as well. Dr. Farah states there is nothing wrong with having more than one person representing Danville, and as the Town is the intervener, they are not limited to just one person. Dr. Farah expresses her concern that she is not getting any notices of the meetings and only knew of this recent one through Karen Steele. Ms. Steele did send an e-mail to the person running the meetings regarding the lack of notice to Danville. Dr. Farah states that she does not mind helping. Shawn and Dr. Farah agree that HAWC "doesn't like it when questions are being asked."

Minutes: The BOS review the minutes for the April 19, 2021 public BOS meeting. Dr. Farah motions to accept the minutes of the April 19, 2021 public BOS meeting as written. Second by Dottie. Vote is unanimous (5-0).

The BOS review the minutes for the April 19, 2021 Non-Public BOS meeting. Dr. Farah requests that the line "...and intent" be changed to "...and intent and for them to develop an RFP." Dr. Farah motions to approve the April 19, 2021 Non-Public minutes as amended. Second by Sheila. Vote is unanimous (5-0).

Kim confirms that she is to forward all information regarding the PUC and HAWC to Dr. Farah. Shawn reads the Town Announcements listed below.




Tax Bill Flyers: Sheila asks Kim when the tax bills are due to go out. Kim explains that once she gets the Warrant from Fred (Smith), they go out a couple of weeks later, usually by late May. Sheila states that usually the June tax bills have a flyer with the Town's information on it and she would like to propose that this year's bills have a flyer because of all the new people in Town. Sheila explains the flyer has information such as the Town Hall Office Hours, Police Dept., Fire Dept., Boards and Committees, the Cable Channel, as well as upcoming events such as the Deliberative Session, Voting and Old Home Days, Summer Reading Program, etc. Shawn asks if this is like the letter that Janet used to do. Dottie and Sheila agree. Shawn notes that he also agrees with the idea. The rest of the BOS notes these inserts haven't been done for a while. Kim notes doing these flyers will add another five hours of work each week. Sheila states the tax bills must be done and all she is trying to do is to get the word out to the Townspeople of what is going on in Town because the Town is not doing a very good job at that right now. She and Dottie volunteer to help Kim with the tax bill flyers. Kim states she will send out e-mails to the Town's departments for input. Sheila disagrees with that, stating that she wants something simple. Kim asks Sheila to send a draft of what she wants the flyer to look like. Shawn suggests using Janet's old flyer template and simply updating the

information in it. Dr. Farah agrees the flyers were informative and should continue. Janet's template would all be laid out, so it would only need updating the information.

Public Building Mask Mandate: Sheila asks that the Town Counsel's responseⁱⁱ to the BOS vote at the April 19, 2021 meeting regarding the mask mandate for Town buildings be attached to the minutes for the May 3, 2021 meeting. Shawn reminds the BOS that by publicizing Town Counsel's response, all members of the BOS are agreeing to waive any attorney/client privilege.

IV. Town Announcements

Calendar

-  **May 17- Monday:** Board of Selectmen's Meeting 7:00 PM at the Town Hall
-  **June 5- Saturday:** Town Deliberative Session at the Community Center 10:00 AM
-  **July 13- Tuesday:** Town Elections at the Community Center 8:00 AM-8:00 PM

There being no further items to discuss Shawn adjourns the meeting.
The meeting is adjourned at 8:32 PM

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

Respectfully Submitted
Deborah A. Christie

ⁱ **NH RSA Title V: Taxation:** *Chapter 79-D Discretionary Preservation Easements 79-D:1 to 79-D:14.*
www.gencourt.state.nh.us/rsa/html/indexes/default.html (2021)

ⁱⁱ See Attached e-mail response from Matthew Serge

5/8/2021

Gmail - FW: Mandating Masks



Deborah Christie <dbchristie82@gmail.com>

FW: Mandating Masks

1 message

AdminAsst <AdminAsst@townofdanville.org>

Wed, May 5, 2021 at 9:56 AM

From: Matthew R. Serge [REDACTED]
Sent: Monday, April 26, 2021 10:36 AM
To: AdminAsst <AdminAsst@townofdanville.org>
Subject: RE: Mandating Masks

Good morning, Kim. The Board of Selectmen has the authority to regulate the use of town-owned property, and can continue mandating the use of face masks in public buildings. See RSA 41:11-a. As a result, the Board can continue to impose the same penalty / penalties it did previously when masks were not worn. It would seem to me that the typical penalty would be to deny someone access to the building if he / she refuses to wear a mask. If we're talking about a member of the public, there should be some alternative arrangement made (is reasonable) to provide services to someone who refuses to wear a mask (i.e. the use of a drop box to receive tax payments, etc.). Public employees who refuse to wear a mask can be ordered to stay out of a public building and work remotely, if possible.

Please let me know if you have further questions. Thanks.

-Matt

From: AdminAsst <AdminAsst@townofdanville.org>
Sent: Thursday, April 22, 2021 3:41 PM
To: Matthew R. Serge [REDACTED]
Cc: Shawn Oneil [REDACTED]; 'Steve Woitkun' [REDACTED]; Sheila ACO [REDACTED]; [REDACTED]; dbillbro [REDACTED]; Kim Farah [REDACTED]
Subject: Mandating Masks

Hello Matt,

At Monday night's BOS meeting it was voted to mandate wearing masks in all town facilities. The question at hand is if masks are not worn, what kind of ramifications can the town enforce?

<https://mail.google.com/mail/u/0?ik=d07b3d3978&view=pt&search=all&permthid=thread-f%3A1698926922562328278&simpl=msg-f%3A16989269225...> 1/2