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Town of Danville
Board of Selectmen
Tuesday, October 11, 2022
7:00 PM

6:52 PM

Meeting is Video-Recorded

Selectmen Present: Shawn O'Neil, Chair; Dottie Billbrough, Vice-Chair; Steve Woitkun, Sheila Johannesen, and Dennis Griffiths

Others Present: Kimberly Burnham, Selectmen Administrator; Jim Seaver, Road Agent; Chris Tracy, Town Clerk; Residents: Stacy O'Connor, Susan Chandler, Lisa Paul, Bruce Shoff, Florence Morse, Donald Morse, Jim Lanza, Amber Rose McIntyre, Kathy Youzwak, Chris Linger

Shawn called the meeting to order at 6:52 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. Delegate Session

Shawn opens the Delegate Session and asks if there are any members of the public not on the agenda who wish to address the BOS.

Beechwood Drive Compliance Issue: Chris Linger of 74 Beechwood Dr. states that he wishes to read the following statement regarding the failure of a Beechwood Dr. resident to comply with a decision made by the Town's ZBA.

"On the 23rd of September 2022, John Grover of 45 Beechwood Dr. in Danville was denied a special exception by a unanimous vote of all five (5) members of the ZBA. Three (3) meetings were held with about forty (40) concerned residents in attendance. The zoning enforcement officer has been contacted and he's informed me that he's made several visits and Mr. Grover has not complied. His impression is that Mr. Grover has no intent to comply with the decision of the Zoning Board. Three weeks have passed since the decision and during that time Mr. Grover continues to maintain the vehicle on the property as well as operate to and from his residence, hauling heavy equipment on his trailer. I am petitioning the Selectmen to enforce the decision of the Zoning Board and ask you what steps you are going to take to enforce the Town's decision on that denial. And he (Mr. Grover) is currently ignoring that."

Mr. Linger provides the BOS with copies of the ZBA decision. He asks if "perhaps there is anyone in the room, or viewing the video that has a suitable location where Mr. Grover can store and maintain his three-axle truck. Thank you."

Shawn explains that the BOS will need to review all the documentation.

Highway Dept. Update: Jim Seaver, Road Agent, states that the Tennis Courts and the Basketball Courts are all done. He has two new posts and nets to put in next spring. He encourages the BOS to go look at the work completed. Mr. Seaver reminds the BOS that he was in a few weeks ago regarding upcoming road repair projects. He had recommended that the BOS accept the bid from Busby Construction. He has received the contract and needs the BOS to sign it. Shawn asks for a motion to approve the quote/contract from Busby Construction for a total of \$501,472. Motion is made by Steve. Second by Sheila. Vote is unanimous (5-0).

Mr. Seaver notes that the new portable radios have been ordered, but won't be in until March or April of 2023. Steve states that his radios are in and are being programmed. Shawn confirms that the new radios for the Highway Dept. were funded through the ARPA grant and will not require any encumbering of FY22 Highway funds at the end of the

year. Mr. Seaver reminds him that he will need to encumber FY22 Highway funds for the road repair project and contract with Busby Construction and that he will also be using FY23 Highway funds for that project.

Beechwood Dr. Compliance Issue: Kathy Youzwak of 66 Beechwood Dr. states that she would like to add to the previous discussion that one of the reasons Mr. Grover was denied (his ZBA special exception) was due to safety issues. She states that Mr. Grover has a big dump truck and has “confessed to not stopping at stop signs, and we’ve all seen him speed through the neighborhood and that’s why we’re all here from the neighborhood and are hoping to expedite a resolution.”

Shawn explains that it is the responsibility of the BOS to implement and enforce zoning. He explains that this is the first time the BOS has heard of this issue. They will review it and it will take some time. Ms. Youzwak states that Sheila was there (at that meeting.)

As no more members of the public wish to speak, Shawn closes the Delegate session at 6:59 PM.

II. Agenda

COLA Discussion: Shawn reminds the BOS of the issues with conflict of interest for this discussion. He, Dottie, and Sheila will be the only three BOS members able to discuss and vote on the FY23 COLA increases. Dottie states that she has called other surrounding towns to see what they were doing regarding COLA increases. She spoke with four (4) towns and none of them have made a decision yet and aren’t due to make that decision for a few more weeks. She explains that these towns were continuing to do their budgets, but would recalculate them once the COLA increase was determined.

Dottie notes that in the FY22 budget, the Town increased some salaries so that they were an average of what surrounding towns were paying, while some Town employees only received the COLA increase. She also notes that other towns did a 6% COLA for their FY22 salaries, so Danville’s Town employee salaries are still behind by 6%. Dottie states that the Town is still trying to “play catch-up” and won’t be able to. Shawn asks if they have a number to vote on tonight. Dottie states that “it depends if they choose to wait and see what the other towns do.”

Steve notes that he is recusing himself from the COLA vote, but believes that he and Dennis should be allowed to have input. He states that he was a proponent (of the 7.4% COLA increase), but cut it back. He feels the board should come up with a compromise between the 7.4% and Shawn’s suggestion of a 5% COLA. Steve states that in his opinion, the Town has always gone along with the CPI (Consumer Price Index) when it was to the Town’s advantage of only 1%-2% increases, even though private industries and the School District were giving out larger increases. He reiterates that he won’t be voting on the COLA increase, but wanted to add his opinion.

Dennis states that he “finds it odd that it’s called COLA.” He notes that the term came out in 1976 and is used by the Social Security Administration so that the fixed amount that retirees received can keep up with inflation. He notes that for “fifty (50) years to today, it’s still likely the same. Private industries don’t do COLA.” Dennis states that it’s “just compensation adjustment, whether or not somebody gets a raise”. Dennis explains that his understanding is that “the BOS has the authority to give employees a compensation adjustment at any time during the year, provided that the money is available and was voted on at the previous Town Meeting, or that there are funds available that can be transferred,” also noting that “it was brought up that the Town is doing compensation adjustments with steps as well.” Dennis states that “it appears to him the BOS is giving out raises two (2) times a year, and he proposes that if the Town has employees in key positions and that (their salaries) are significantly off from surrounding towns, why not chip away at one (employee/position) at a time, prioritize what those positions are, what those salaries should be, and just give them a raise to the point that funds are available. Once there, (the BOS) can go back to giving normal merit increases/step increases.” Dennis continues that “the whole concept of COLA, and he feels the BOS presents it that it is required by law, but it is just another way to give compensation increases.” Dennis notes that he “has no problem giving compensation increases, but doesn’t know why the BOS is giving them twice, why we’re (the BOS) hiding it under COLA” and asks if the BOS does step increases for individual employees.

Shawn states that the BOS used to give step increases based on the level of.... Sheila states that the BOS hasn't done step increases in a long time. Dennis asks what the BOS referred to as the step increase matrix at the last BOS meeting. Dottie notes that Shawn referenced it and that she didn't think it existed. Dennis states that he has a copy of the matrix from 2012, noting that (not using it) makes it an entirely different conversation. He suggests that if the only increases the BOS are giving are COLA, they need to "develop a way to give Town employees raises during the year and not stick on this arbitrary number of CPI nonsense."

Dennis continues, that if the BOS is "smart and manages money well, they could give the right people the right raises that they deserve and give other people the ability to work their way up through different types of increases." Dottie disagrees stating that "anyone working for the Town now, deserves something because if they weren't doing their job, they wouldn't be working for the Town." Dennis states that he does not argue that. Dottie reiterates that everyone should get something, the issue is what number to agree on.

Steve reminds the BOS that a month ago Chief Parsons was before the BOS requesting to pay a sign-on bonus and a retention bonus for his staff. When the Chief was asked how much he wanted to pay for the retention bonuses he had suggested \$5000. Steve quotes Dennis as suggesting that the Chief give his staff a \$10,000 retention bonus. Dennis agrees (that he made that suggestion) noting "if it is in the budget." Steve notes that he and Shawn have differed in the past about the "so-called COLA" and that Shawn was always going by the CPI for the Northeast region and that became the "norm" around 2008. Steve states that he has had conversations with Shawn regarding the issue when the teachers were getting 3%-4% increases, and private industries may be getting more, but the Town would go with that formula. Steve notes that last year's Social Security COLA increase was 6.3% and the Town only gave a COLA increase of 4.4% based on the CPI. Steve notes that in his opinion, "if the BOS used the CPI when there wasn't a lot of increase, they should use it now when there is a little more." He explains that the taxpayers are feeling the same crunch with energy costs, electricity, and inflation. He agrees that 7.4% may be too much, but he doesn't believe the Townspeople will look at the list of employees and choose who deserves the increase. Dennis states that "we're the BOS, they are our employees." Dennis reiterates that he has "no problem treating people fairly, but feels there is a better way to treat people fairly than with a random number that comes out once a year and apply it to everybody." He states that he "does not think it's fair to the person who busts their butt and does a little bit extra, and deserves that little bit extra; or that person who is walking the line of showing up on time or showing up every day they're supposed to show up." He asks if "those two people, at those extremes, should get exactly the same increase. It might be enough, but that's what this system does."

Steve states that he's been around in government and in Town long enough that Dennis' statement is "completely erroneous." Steve states that he "does not know of a Town employee that walks that line with mediocre work." Steve reminds Dennis that he's been fighting for ARPA funds because he feels the Town's employees, the women that work at the Town Hall, got nothing during COVID and they kept the Town running, as did the Highway Dept, the Fire Dept, and the Police Dept. Steve states that he "wants to keep good employees and doesn't want to come to the BOS as the Fire Chief, pulling his hair out because he doesn't have any staff and that is why he champions any raises, retention bonuses, etc." Steve believes that "a few cents spent wisely at the BOS table will keep the Town's good employees on board." He notes that the Town can't afford to be like other towns. He doesn't want the Fire Dept. to be as desperate for help as the Police Dept. and he is lucky that his staff is happy and that is why he fought for higher wages.

Sheila reminds Dennis that the Town is not a business but a municipality. Dennis and Steve disagree. Dennis clarifies the Town is a "business that operates under different rules." Steve states that he's stated his case. Dennis states that his case is "very simple. He has no problem giving people raises, but thinks there should be a better system than COLA." Shawn states that if someone wants to change the system, which has "been done so long this way," they will need to have a "bona fide plan in place and get it adopted by the BOS." Shawn notes that he can't support trying to come up with a plan while trying to decide (raises) because he would have no idea what the BOS would be agreeing to in the end. There is further discussion among the board.

Dennis states that he's not proposing anything or making any motions. "This is just a topic, beyond this meeting, that the board should take seriously and his opinion is that the BOS should come up with some kind of plan." He

reiterates that the BOS should have a better way to determine who gets compensation increases. Shawn reiterates that the BOS would need a proposal.

Chris Tracy, the Town Clerk, states that she worked for Lucent Technologies and AT & T for seventeen (17) years, and every year she got a COLA increase. She states that she understands the Social Security COLA increase will be 9.6% this year. Ms. Tracy notes that the insurance unions have increased by 10%, offsetting any COLA increase and that the matrix that has not been looked at since 2012 is a step matrix.

Shawn disagrees that the matrix hasn't been maintained since 2012. He notes that it is more likely 3-4 years out of date. Ms. Tracy requests that the matrix be updated and put back into use. Sheila notes that Dottie did that work last year and the BOS updated salaries. Dottie states that she's working on that matrix and may have it by the next meeting. Shawn notes the board has been working on that for a long time. Dottie notes that it's not easy. Shawn agrees that it takes time.

Stacy O'Connor asks for clarification on who is receiving the COLA increases. Shawn explains that it applies to "everyone across the board." Ms. O'Connor confirms this includes those who are elected, appointed, etc. and that this will not change. Dennis refers to his conversation with the board at last week's BOS meeting and explains that based on his interpretation of the RSAs and case law, his position is that the BOS doesn't have the authority to adjust the compensation of elected officials. He reiterates that this is just his opinion and he can be outvoted and unless someone takes it to court and gets it adjudicated, it is just his opinion and he will always state what he feels.

Ms. O'Connor expresses her concern with the discussion that some people were getting increases and some people weren't and asks why Dennis and the BOS are changing something that has worked for so long. Shawn disagrees that anyone is advocating that certain people do or do not get the increase. Ms. O'Connor clarifies she is referring to employees vs. elected officials. Shawn explains that Dennis brought up the issue as his opinion, but until the BOS makes a decision, what the BOS has done in the past will be the status quo until something comes up otherwise. Ms. O'Connor again expresses her concern that she "doesn't want to see anyone that's here not get a COLA (increase)." Shawn confirms that the original COLA increase of 7.4% would have been "across the board."

Dottie states that she would like to compromise between Shawn's support of a 5% COLA and Steve's original proposal for a 7.4% COLA increase. She motions that the FY23 COLA increase by 6%. Second by Sheila. Vote is 2-yes, 1-no, 2- abstentions (2-1-2). Sheila and Dottie voted yes, Shawn voted no, and Steve and Dennis abstain due to a conflict of interest. The motion passes. The FY23 COLA increase is 6%.

Sheila motions that the COLA increases not go into the FY23 Default budget. Second by Dottie. There is further discussion. Dennis confirms that currently, the town's elected officials are included in the COLA increase. He states that he will abstain from the vote because he "thinks it's an illegal act and he isn't going to be part of it." He clarifies that it's because the proposed compensation increase includes elected officials. Shawn explains that the COLA increases will be in the FY23 Operating budget. Dennis states that "if it's a line item, that's fine because it is a line item at Town Meeting." There is further discussion. Dennis asks if there will be an opportunity at Town Meeting to remove the 6%. Shawn clarifies that Dennis is asking about the details shown for each line item in the budget. He explains that the Warrant budget is the outcome of the Town Meeting and that after the budget passes, the BOS can determine how those budget funds are dispersed. Shawn notes that it's not codified in law that if budget lines are added and/or reduced by "x", the BOS has to adjust that particular line. The budget is a bottom-line budget. Dennis clarifies his position is that the Town needs to vote on increases for elected officials. Steve explains there isn't one line for salaries. All the salaries are contained within each department's budget. Shawn notes that it used to be (salaries in one line), but the BOS couldn't compare salaries to other towns that way and by separating the salaries and personnel costs by department, the BOS can show the true costs of each department. Shawn calls the question for a vote. Vote is 3-yes, 0-no, 2- abstentions. (3-0-2). Shawn, Dottie, and Sheila vote yes. Steve and Dennis abstain due to a conflict of interest. Motion to not include the COLA increases in the FY23 Default budget passes.

Shawn suggests that Dennis work on his proposal for the process of compensation increases. He notes that it will take many meetings to discuss. Dennis states that he wants to see Dottie's information on salaries by position.

Shawn confirms that the second item on the agenda, "Compensation Adjustments for Employees and Elected Officials" was part of the COLA increase discussion and there is no further discussion on the issue.

Direct Energy Proposal: Kim states that she is still working with Kim Unice on that. She states that she has also learned that Unitil has not released its fixed rates for street lighting yet. Shawn reminds the BOS that the budget probably will end up 20% over budget by the end of FY22. He suggests that Kim look at the core rate of electricity. He reiterates that the Town pays a fixed amount for the street lights and believes it will be hard for Unitil to justify.... He suggests that Kim use the percentage increase in the rates and apply it to the actual costs for the street lights in FY22 (\$12,000). Dennis and Kim clarify an e-mail regarding Direct Energy. Kim explains that she has contacted surrounding towns that are in a contract with Direct Energy because municipality supply charges are going to almost triple. The Town has G2 and some components of its bill are fixed rate, but other components will change. Kim explains some of those components.

Shawn notes that one important charge the Town can manage is the "system demand" charge, and that is something the board should look at. He explains it is the instantaneous demand the Town has on the grid at any given time. An example would be if/when all the air-conditioners are turned on at the same time in a building. That establishes a very high system demand charge, whereas if those air conditioners were turned on at set intervals, it would result in much lower system demand and much lower charges. He asks Kim to find out how the Town can optimize this system demand and become more efficient so the Town isn't paying "top dollar" for its electricity.

Lions Club Donation: Shawn states that the Town has received a donation from the Danville Lion's Club from their Bingo games for \$1480.80. Steve motions to accept this donation. Second by Dottie. There is further discussion. Shawn states that Dottie will say thank you to the Lion's Club. It is a great organization and is just getting together a couple of years ago. They have been doing some really good things around Town and creating a large amount of goodwill." The vote to accept the donation is unanimous (5-0).

III. Old/New Business

Signature File: The BOS review and sign the documents in the Signature File. Shawn notes that the BOS has received the letter officially accepting the polling hours of 8:00 AM to 8:00 PM. These are the same hours as previously established.

The BOS has received a letter of representation from Ploshnick (Financial Services) that outlines the audit process.

The BOS has received a letter of application from Jacqueline E. Bellacqua or appointment to the Recreation Committee. Sheila motions to approve the appointment of Jacqueline E. to the Recreation Committee. Second by Dottie. Vote is unanimous (5-0).

The BOS has received a road bond reduction request. Shawn states the original bond amount was \$367,334.48. The request is to release \$264,207.65 leaving a remaining amount of \$103,126.82 on the bond. Shawn reviews the paperwork and notes it is missing the letter for the BOS to execute the reduction for the contractor to present to the bank. He states the BOS will defer this request until the paperwork is complete.

Minutes: The BOS review the minutes of the October 3, 2022 BOS public meeting. Dottie notes a correction on line #728. The correct name of the person that the BOS asked to represent the Town for the Quiet Title court case is Ms. Baird, not Mr. Springer. Dottie also notes that "She" was not representing the Heritage Commission in that case. Sheila notes that the BOS "needs to pay attention because there was no video of the meeting when they are using the screen." Dottie motions to approve the minutes as amended. Second by Sheila. Vote is unanimous (5-0).

Non-Public Minutes: The BOS review the minutes for the October 3, 2022, 9:07 PM Non-Public BOS session under NHRSA 91-A 3:II (C). Sheila motions to approve the minutes as written. Second by Dottie. Vote is unanimous (5-0).

The BOS review the minutes for the October 3, 2022, 9:21 PM Non-Public BOS session under NHRSA 91-A 3:II (E). Sheila motions to approve the minutes as written. Second by Dottie. Vote is unanimous (5-0).

2023 Town Holiday Calendar: Shawn notes the BOS has just received the proposed Town 2023 Holiday Calendar. Kim explains that she usually goes by the State's recommended holiday schedule, however, she has a question because Town Hall is not open on Fridays, the State holiday of the Friday after Thanksgiving needs to be adjusted. She suggests that the BOS can make that a floating holiday or that in lieu of that, Town Hall employees could have Columbus Day off. Dennis suggests that the BOS codify the issue and that for any holiday that falls on a Friday, the Town Hall would be closed on Thursday. Dottie notes that Columbus Day is always observed on a Monday, there is no school, many parents are also off and she would prefer that the Town Hall employees have Columbus Day off.

Shawn explains that Town holidays equal ten (10) eight(8) hour days for full-time employees and that is pro-rated for part-time employees. Kim notes that the Town Policy handbook states that full-time employees receive ten (10) paid holidays. Town Hall is not open on Fridays, so those employees will need another day off to make up for the "Friday after Thanksgiving" holiday. She clarifies that the Town should state that it will follow the State Holiday calendar with the exception that if a State Holiday is on a Friday when the Town Hall isn't open, that holiday will be observed on the following Monday.

Kim explains that the Town Hall employees would take the "Friday after Thanksgiving" holiday and replace it with Columbus Day. Steve agrees. She notes that in 2023, Veteran's Day is also on a Friday, so the Town Hall employees would have the following Monday off. Dennis agrees it is important to keep the holidays as a contiguous weekend. Shawn clarifies that in 2023, Friday, November 24 will be replaced with Monday, October 9 for the Town Hall employees. There is further discussion to clarify the issue for Dennis, that the change only applies to the Town Hall employees because the Town Hall is closed on Fridays. Dottie motions to approve the 2023 Town Holiday Calendar as presented. Second by Sheila. Vote is unanimous (5-0).

Shawn reads the Town Announcements listed below. He reiterates the BOS' request that anyone participating in the bulk pickup program please cover their material against the rain. He again notes that the Town is charged by weight for the pickup and waterlogged items are much heavier, resulting in additional costs to the Town. Sheila reminds everyone that there is a list of what cannot be picked up during Bulk pickup. Shawn adds the following to the Town Announcements: On November 19, NH Fish and Game will be presenting their Moose program at the Community Center from 12:00 PM-3:30 PM. This program is sponsored by the Colby Memorial Library and Danville Animal Control.

Flags for Forgotten Veterans Display: Sheila states that she reached out to Russell Currier and reminds the BOS of his proposal for a flag display for Veterans' Suicide Awareness. He is again asking for permission to use the property at the corner of Kingston Rd. and Main St. across from the store to display 660 American flags to symbolize the 22 Veterans lost to suicide every day. The display will be up for thirty (30) days. Mr. Currier would like to set the display up on (corrected date – Saturday, October 29, 2022, at 12:00 noon NOT Friday, October 28 at 12:00 Noon) and would like to make it a community event. The flags would be on display until November 13, weather permitting. He is also asking permission to use the power feed at the site. Sheila states that she reached out to the American Legion and the Boy Scouts. She still needs to contact the Girl Scouts. Mr. Currier would like everyone in the community to get involved. She notes that this project tries to bring awareness to Veteran suicide and is asking for BOS permission and support. The consensus of the BOS is to move forward.

Heritage Commission/Legal Counsel Update: Dottie reminds the BOS that it was established during last week's discussion that the Heritage Commission was not involved in the Quiet Title court case and that the only reason a Heritage Commission member was involved was that the BOS asked her to be involved, and she did not represent the Heritage Commission during that time. She motions that the BOS contact Town Counsel and ask him to finish the work that he started regarding the ATV issue and Tuckertown Rd. Dottie reads from the 2022 Town Zoning Ordinances, Article VIII.ⁱ

"Coordination between Boards- Any activity which may come before the BOS, Conservation Commission or the Planning Board related to Tuckertown Road and it's branches on Town land or land within the Historic

District under the closed, scenic, and trail designations, or for any other purpose shall be discussed with the Heritage Commission as part of the decision making process."






Shawn states that the BOS did not make a decision on Tuckertown Rd. The BOS used applicable law that when the Town designates a road to a Class A trail, the Town must also vote for any restrictions. Shawn states that the Heritage Commission would need to put any restrictions on Tuckertown Rd. at Town Meeting.

Dottie reads the 1996 Warrant Articleⁱⁱ that changed Tuckertown Rd (among others) to a Class A trail under NH RSA 231-A: 1. ⁱⁱⁱ Dennis states that he wants to know what the question is. Dottie reiterates that the reason given a few weeks ago was that the "Heritage Commission had a bad track record." It has since been determined that the issue was not the Heritage Commission, so the Heritage Commission wants a legal question answered and she is asking the BOS to let Town Counsel finish answering the question. Sheila seconds Dottie's motion. The question is if the BOS did the right thing by allowing ATVs on Tuckertown Rd. when the Town voted in 1996 to not allow any vehicles on Tuckertown Rd and the trails. Dennis disagrees that was the vote. Dottie states that 231-A:1 states "no vehicles." Dennis argues that ATVs are not vehicles.

Dottie reminds the BOS that they only voted to allow (ATV) access under the power lines. Tuckertown Rd was added in because it was said that it was already open to ATVs. Dennis notes that as a Class A Trail, it was. Sheila reiterates this is what the Heritage Commission is trying to do. Dennis asks what happens when Heritage Commission gets an opinion from Town Counsel. Shawn calls the question for a vote. Vote is 2-yes, 2-no, 1- abstention (2-2-1). Dottie and Sheila vote yes, Shawn and Steve vote no, and Dennis abstains. Motion fails because there is no majority.

IV. Town Announcements

Calendar

-  **October 15- Saturday:** Fall Bulk Pick-Up. The trucks start at 7:00 AM
-  **October 17- Monday:** Board of Selectmen's Meeting – Town Hall at 7:00 PM.
-  **October 23- Sunday:** Trunk or Treat @ the Community Center 12:00- 2:00PM. Hosted by the Recreation Committee. Rain date is Sunday, October 30. 12:00-2:00PM
-  **October 29- Saturday:** Household Hazardous Waste Collection: Hosted by Kingston: 12 Main St. Kingston, NH- 9:00 AM- 12 Noon. See the Town's website for more information
-  **November 19- Saturday:** NH Fish and Game Moose Program @ the Community Center 12:00 (Noon)-3:30 PM. Sponsored by the Colby Memorial Library and Danville Animal Control.

As there are no further items to discuss Shawn requests a Non-Public Session under NH RSA 91-A 3:II (C). Steve makes the motion to go into a Non-Public session as requested. Second by Dottie. Roll call vote: Shawn-yes, Steve-yes, Sheila-yes, Dottie-yes, Dennis-yes.

The public session of the BOS meeting ends at 8:02 PM.

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

Respectfully Submitted
Deborah A. Christie

ⁱ Town of Danville. **Danville NH Zoning Ordinances Effective March 8, 2022**. Article VIII. Paragraph #6. P.94. Online at <https://www.townofdanville.org/planning-board/files/2022-zoning-ordinance>. October 11, 2022

ⁱⁱ Danville, New Hampshire. **Annual Reports Danville New Hampshire 1995**. **Town Warrants: 37**. To see if the Town will vote to designate all sections and branches of Tuckertown Road as a Class A Trail, as authorized by RSA 231-A:1. (BY PETITION) Pg. j. (warrant passed)

ⁱⁱⁱ State of NH. **NH RSA. TITLE XX. TRANSPORTATION CHAPTER 231-A MUNICIPAL TRAILS Section 231-A:1 Class A and B Trails.** –

I. A class A trail shall be a full public right-of-way, of indefinite duration subject to public trail use restrictions. It shall not have the status of a publicly approved street, and shall not be used as a vehicular access for any new building or structure, or for the expansion, enlargement, or increased intensity of use of any existing building or structure. It may, however, be used by the owners of land abutting on such trail, or land served exclusively by such trail, to provide access for such nondevelopment uses as agriculture and forestry, or for access to any building or structure existing prior to its designation as a trail, and such owners' access for such uses shall be exempt from applicable public trail use restrictions, subject only to reasonable time, season and manner regulations imposed by the local governing body. The municipality shall bear no responsibility for maintaining the trail for such uses by abutting owners. Such owners shall, prior to excavation, construction or disturbance of a class A trail, obtain permission from the municipal officers, in the same manner prescribed for highways in RSA 236:9-11. Online at www.gencourt.state.nh.us/rsa/html. October 11, 2022.