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Town of Danville
Board of Selectmen
Monday, April 17, 2023
7:00 PM

6:55 PM

Meeting is Video-Recorded

Selectmen Present: Shawn O’Neil, Chair; Dennis Griffiths, Vice Chair, Sheila Johannesen, Annemarie Inman
Absent and excused: Joe Hester

Others Present: Kimberly Burnham, Selectmen Administrator; Carsten Springer, Chair, Conservation Commission and Forestry Committee; Fire Chief Steve Woitkun; Residents: Lisa Stith, Jim Estime,

Shawn called the meeting to order at 6:55 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

Delegate Session

Shawn opens the Delegate Session at 6:57 PM and asks if there are any members of the public not on the agenda who wish to address the BOS.

Earth Day (April 22): Lisa Stith reminds everyone that Saturday, April 22, is Earth Day and Danville is participating. Jim Seaver (Road Agent) will be handing out the blue collection bags at the Community Center on Friday, April 21, from 5:00 PM to 7:00 PM and again on Saturday, April 22 from 8:00 AM to 10:00 AM. Ms. Stith states she is hoping the Town’s residents will come to pick up these bags and help to clean up their streets. Shawn thanks Ms. Stith for all her hard work cleaning up Danville’s streets.

Conservation Commission: Carsten Springer reminds the BOS the Conservation Commission will be meeting on Thursday, April 20. He updates the BOS on the status of flags that have been noticed on Back Rd. Mr. Springer states that someone thought the flags meant that Conservation land was getting developed into house lots. He reassures everyone the flags are actually stakes placed in the fields by a Conservation Commission member to highlight areas of rock so the mowing equipment wouldn’t get damaged. Mr. Springer notes there are a lot of stakes because there are a lot of rocks. Shawn confirms this is Conservation land on Back Rd. Mr. Springer believes this is the source of the confusion and notes that some of the flags may have been moved since then.

Forestry Committee: Mr. Springer states the Forestry Committee made a decision a couple of weeks ago and reads from the minutes of that meeting:ⁱ

8:33 PM: Discussion around fire prevention, vandals, and ATV usage in the Town Forest. According to the Town Forester, a lot of vandalism is going on, tree cutting as well as fire. This is not just pieces of wood, but sections of limbs, etc. more significant. Ironically the people who noticed it last year were the ATV riders under the powerlines. The location of the vandalism is not far off the powerlines. The riders went in and cleaned it up. It is still continuing.

Sheila asks where the vandals are getting past to get inside. Mr. Springer believes it is at the north end of the Town Forest. He states the Commission needs to find out who’s doing this and put a stop to it. Mr. Springer continues to read from the minutes:

...in relation to the Audubon Easement; Book and Page related to this clause that allows this is Book #5076, Page #87 section of the Audubon Easement that authorizes ATV usage for purposes of Forestry and Conservation. Carsten motioned to designate two (2) residents with current registration operation from the BOS to operate motorized vehicles on the Audubon Easement in addition to members of Forestry and Conservation. He notes that none of the members are operating their ATVs to access the

Town Forest and the Audubon Easement even though it is allowed; to access the Audubon Easement for the purpose of monitoring and reporting to the Forestry Committee any observations of vandals, fire hazards, and unauthorized use due to ongoing vandalism in the Town Forest. Chip seconds. All in favor.

Mr. Springer states there is further discussion on the subject and photographs were shared of previous years and new activity this year of several sites where these activities are taking place. Mr. Springer will notify the Audubon Society of these activities and the fact that Forestry will be allowing ATVs in there. Mr. Springer reiterates that Forestry needs to keep a handle on this issue. He expects he will get out there on Wednesday, April 19 and personally look at and assess the issue. He states Forestry has received approximately twenty (20) photos of the damage and that people are trying to do a good job and help. Shawn states it is unfortunate this issue has to be addressed. Mr. Springer agrees noting that he is following up with Fire Chief Woitkun to find out what the penalties are for doing this. Mr. Springer expresses his concern that it is one thing to have a campfire, but these are brush fires in the Town Forest. Sheila notes it is especially (concerning) when brush fires aren't even allowed by the general public.

Dennis clarifies there are things in the works, acknowledging that Mr. Springer did not want to discuss these in a public forum. Mr. Springer confirms there are several ideas and he has spoken to both Police Chief Parsons and Fire Chief Woitkun to determine the best way to handle the issue. Mr. Springer expresses his concern that with the recent dry spell if a fire gets going (in the Town Forest) it could also be a hazard to houses as well. There is a brief discussion regarding the dry brush.

ATV Permission Application: Jim Estime states he signed up for ATV riding permission and received a letter to attend a BOS meeting. Shawn explains that Dave Drislane is heading the program and he wants to make sure he knows the people who are getting the permissions so that he can explain everything and answer questions. If Mr. Drislane doesn't know the applicant, the BOS sends the letter so they can go over exactly what the permission is allowing, which is only the right-of-way under the powerlines on Town-owned property. The permission is only to ride on that 300' right-of-way. It does not include access to the Town Forest. Shawn emphasizes this is only what the BOS is authorizing. He explains that landowners that are also part of that right-of-way have permitted people to go across their properties. Mr. Springer explains to Mr. Estime that he is the chair of the Forestry Committee and offers to provide his cell phone number so Mr. Estime can connect with someone. Sheila asks Mr. Estime if he filled out an application. Mr. Estime states that he did and that Mr. Drislane stated he had tried to contact him, but they missed connecting. Kim confirms that Mr. Estime filled out the application last week.

Mr. Springer explains that there is a large area of the Town Forest that has an Audubon Easement on it and the terms of that easement are there can be no ATVs except for very specific uses. He wants people to understand where the Audubon Easement is.

Dennis explains the program started last year because people have been riding ATVs under the powerlines for a long time. The program is to discourage riders from riding on unauthorized trails leading off the powerlines. Mr. Springer notes the exception is Tuckertown Rd. Dennis reiterates the BOS welcomes applicants to come in so they can explain the rules and notes that one (1) rider reflects on everyone. Shawn states he has signed the application and Mr. Estime can pick up his copy tomorrow.

As no more members of the public wish to speak, Shawn closes the Delegate session at 7:06 PM

Agenda

Security Camera Update: Shawn refers to the BOS' previous discussion regarding the manufacturer of the cameras and the security issues with them. Dennis states he went back to the vendor and explained the BOS' reservations about the manufacturer of the cameras. The vendor has found another brand of cameras: Specko. This is an American-based company. The BOS had also asked for an updated proposal in order to move forward

with a contract. They have not received that yet. Shawn believes the prices should be comparable. Dennis notes the cameras may be more money because they are American made.

Purple Heart Community Update: Kim states she hasn't received a response from the Highway Dept. Shawn states he spoke with Mr. Seaver at the ballfields. Mr. Seaver stated he has staked out the location for the signs, has taken pictures, and forwarded that information to the State. Mr. Seaver also suggested getting an extra sign in the event a replacement was necessary. Sheila notes that according to the paperwork, the Town is given two (2) signs and will need to pay for each additional sign. Shawn agrees that is his understanding as well. Sheila reminds the BOS they originally wanted three (3) signs. Shawn reiterates that Mr. Seaver asked for an extra one as a replacement, noting the signs only cost \$50.00. Kim confirms the flagpole by the Veteran's Memorial was also staked out. She confirms that Shawn received the e-mail requesting the Purple Heart signs be posted separately from any other signs.

Kim states she received a quote from RAM printing and has ordered a 72" x 30" parade banner. The Boy Scouts have agreed to hold it for the parade. She has also drafted three proclamations. Shawn asks for feedback from the BOS so they can choose which one to use.

ATV Permission Expiration: Shawn reminds the BOS of their previous discussion on this issue, noting the BOS has already signed and returned permits to riders for 2023. He suggests that all the permits issued to date expire on December 31, 2024, noting that this would mean that some permits would have been issued for approximately 18 months. Annemarie asks how the expiration date would be determined from that point. Sheila states she has been told there is a law that permission slips can only be good for one (1) year, but notes that no one has been able to find that law. Annemarie clarifies that this is related to ATVs. Sheila states it is because things change. Dennis disagrees. He does not believe riders should need to re-apply. Shawn expresses his concern about people moving out of town and reminds the board the ATV permission program is only for Danville residents. He states it (expiring permits) does create additional paperwork. Annemarie suggests the permits expire every two (2) years, like driver's licenses do, to make sure everybody's competent, happy, and still a resident. Kim notes the applicants are also signing an agreement that the property owner agrees to notify if there are any changes sixty (60) days prior to the change of land ownership, development, or any change of status. Dennis confirms this includes if someone moves. There is further discussion. Shawn states he is okay with the permits expiring every two (2) years.

Dennis states he likes the idea of tying the expiration of the permits to license expirations. Annemarie suggests asking applicants for their license expiration date and using that as the expiration date for their ATV permit. Sheila explains that applicants do not have to show their licenses. Annemarie confirms that ATV operators do have to have a license to drive and clarified she was just requesting the expiration date of their license. Shawn notes this would mean that all the permits would be expiring at different times. Dennis agrees it would be easier to grandfather everyone (who currently has a permit) and have the first date of expiration on December 31, 2024. There is further discussion regarding the paperwork. There are currently 67 permits issued. Kim explains she has kept a list of approved applications and suggests catching the applications now and letting those people know by letter. She encourages the BOS to establish an expiration date now because there are a lot of people requesting the ATV permission forms. Dennis states he is encouraged that people are trying to comply with the new rules.

Dennis states the BOS created the ATV permission program, so they can adjust it. He suggests that everyone with a permit as of April 17, 2023, will have an expiration date of December 31, 2024; anyone getting a permit in the future will also expire on December 31, 2024; and then have permits expire every two (2) years. Shawn confirms the consensus of the BOS is to have a universal expiration date of December 31, 2024, and permits will be renewed to December 31, 2026. Sheila reminds Shawn the permits should not automatically be renewed and that riders should renew their application. Dennis agrees this is the purpose of the renewal process. Shawn suggests the Town could send out confirmation e-mails. Sheila disagrees, stating that riders should have to fill out a new form. There is a short discussion. Dennis suggests the BOS could create a short renewal form. Shawn suggests a renewal form could be on the Town's website on the new digital software so it could be filled out

online and automatically filed. Dennis states he can create a Civic Engage page for the ATV riders and keep them updated.

Human Resources: Shawn states he has contacted MRI because the BOS is getting into HR issues. He explains that Patty Hess was an HR administrator and had a lot of HR experience and the Town lost that with her retirement. He notes that despite the BOS' efforts, they are still lacking staff with HR skills. Shawn states he spoke with Allen Gould at MRI regarding HR services. This would be for more complex HR issues, not the normal, everyday issues like I-9s, etc. MRI has several programs they use with other towns and offer HR services a-la-carte. The Town would submit the issue and MRI would handle it at the front end, advise the BOS on how to proceed, and would work with the BOS through the process.

Dennis clarifies this would be a safe place for an employee to go that is neutral to work through an issue, and if it can't be resolved, MRI would then go to the BOS for resolution. Shawn explains MRI would guide the BOS and give recommendations. They would be at the front end, handling HR problems. Sheila confirms if an employee had a problem, they would go to MRI first. She expresses her concern the BOS would not know anything about it. Shawn states that would not be the case and explains the BOS would need to develop a process and procedure that would outline the specific issues that would go directly to MRI. He agrees that he doesn't want every employee complaint going directly to MRI and notes that MRI wants to deal only with true HR detailed issues.

Sheila asks for clarification of the process. Shawn explains an e-mail will go out to each Department Head and all Town employees outlining what kind of HR issues need to go to MRI and that contact information would be provided. MRI would begin the process of working with the employee, setting up the resolution process, and apprising the BOS of the issue. Sheila asks if the BOS would follow MRI's recommendations. Annemarie explains that would have to be done as a board. Sheila expresses her concern the BOS has previously proceeded with an issue and has not followed the outcome. Shawn reminds her that BOS action depends on each board member's vote.

Dennis states he hopes that every time someone goes to HR and works through an issue, noting HR issues are typically private, he wants to give employees an outlet to speak to someone that is a neutral party if the employee is not satisfied. Shawn states MRI has provided a proposal and the cost structure to the BOS and will circle back with Mr. Gould to formalize the contract. Sheila notes the contract is in the Signature File and she has already reviewed it. Annemarie suggests that Joe should have a chance to provide his input. Shawn states he will speak with Joe and if there are no issues he will move forward with the contract. If Joe has any issues, Shawn will bring the matter back to the BOS for further discussion.

Old/New Business

Minutes: The BOS review the minutes for the April 3, 2023 BOS public meeting. The following corrections and amendments are made:

Line #269- The BOS notes the corrected date for picking up the blue bags for Earth Day.

Lines #168 & #177- HITV is corrected to HIK-Vision.

Line #170- Annemarie states she asked if the company was sanctioned. Dennis confirmed that it was.

Line # 363- Annemarie asks for clarification from Sheila.

Sheila motions to approve the minutes for the April 3, 2023 BOS meeting as amended. Second by Annemarie. Vote is unanimous (4-0).

Non-Public Minutes: The BOS review the minutes for the March 20, 2023 BOS Non-Public session under NH RSA 91-A 3:II (c) and (e). Dennis motions to approve the minutes as written. Second by Sheila. Vote is unanimous (4-0).

The BOS review the minutes for the April 3, 2023 BOS Non-Public session under NH RSA 91-A 3:II (c). Sheila states these minutes need to be released. Shawn disagrees. Dennis reviews some wording with Annemarie.

Annemarie suggests a wording change for clarification. Sheila motions to approve the minutes as amended. Second by Annemarie. Vote is unanimous (4-0).

Shawn reads the Town Announcements listed below. He adds the following announcements:

Saturday, April 29- Household Hazardous Waste Day in Plaistow at the Plaistow Public Works Facility,
144-F Main St. Plaistow. 9:00 AM- 12:00 Noon.

Sheila adds the following announcement:

Friday, April 28- Senior Coffee Hour at the Community Center 10:00 AM- 12:00 Noon. Hosted by the Recreation Committee.

Non-Public Minutes Discussion: Dennis states he would like to motion to unseal the Non-Public minutes regarding the recent transfer of property. Shawn explains that once the BOS has signed and executed the paperwork, and the deed is recorded at the Rockingham County Registry of Deeds, everything becomes public and the Non-Public minutes about the transaction can be unsealed after that. Dennis state he believes the process has been completed. Annemarie asks if she was present during the process. Shawn explains this issue was discussed and resolved by the previous members of the BOS. She asks if she can be brought up to speed on the issue. Shawn state he understands what Dennis is trying to do and supports him, but the timing is not right. Sheila states the matter can be brought up even though the Non-Public minutes are sealed because it is public knowledge the contract was signed through the Registry of Deeds. Shawn agrees the deed is now online and states he wants to give the courtesy to Annemarie of bringing her up to speed because she has no idea what the BOS is discussing.

Shawn asks Kim to put Non-Public minutes for the property transfer on the next BOS agenda for further discussion. He agrees the goal is to unseal the minutes, but until the purchase happens, the discussion has to remain Non-Public. Sheila asks Dennis if this was the issue that happened with the Heritage Commission, noting that it was discussed in public. Shawn expresses his concern that if the BOS wants to have these discussions, they should discuss the issue earlier so the minutes are available for board members to read. Dennis notes there may be some things that need to be redacted. Shawn agrees, noting that during his tenure on the BOS, very few Non-Public minutes have been unsealed because they contain privileged information and he doesn't believe the minutes should be unsealed just for the sake of unsealing them. Sheila states the BOS did not address the issue properly and that because the BOS moved lot lines and gave up land, it should have gone through a Public Hearing. Sheila states talking about a lot line is one thing, but the issue was about twenty (20) acres. Shawn disagrees stating the issue was correcting a problem that has been on the books for a long time, hundreds of years. He notes the issue was also vetted by Town Counsel. Annemarie clarifies the timing of the issue is Non-Public before she was elected and that Sheila was on the BOS and aware of it. Sheila agrees. Annemarie states it is duly noted.

Town Announcements

Calendar

April 22- Saturday: *Earth Day*. Bag Collection at the Community Center at the front desk 8:00 AM- 10:00 AM. This is for the blue bags.

April 28- Friday: Senior Coffee Hour at the Community Center 10:00 AM- 12:00 Noon. Hosted by the Recreation Committee.

April 29- Saturday: *Household Hazardous Waste Collection Day* in Plaistow at the Plaistow Public Works Facility, 144-F Main St. Plaistow. 9:00 AM- 12:00 Noon. Contact the Town Road Agent (Jim Seaver) with any questions.

April 29- Saturday: *Spring Bulk Pick-up*. Sign-ups have closed. Pick-up will begin at 7:00 AM. The BOS requests that residents cover their curbside pick-ups so they don't get soaked with rain.

May 1- Monday: Board of Selectmen's meeting at the Town Hall at 7:00 PM

May 27- Saturday: *Memorial Day Parade and Purple Heart Ceremony* (more information to follow.)

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

The public session of the BOS meeting ends at 7:41 PM.

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

Respectfully Submitted
Deborah A. Christie

ⁱ No date of the meeting or further documentation provided.