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Town of Danville  
Board of Selectmen  
Monday, February 24, 2020  
7:00 PM

6:30PM: Non Public Meeting under NHRSA 91-A 3:II(e)

7:00 PM

Meeting is Video-Recorded

Selectmen Present: Shawn O'Neil, Vice Chair; Sheila Johannesen, David Knight, and David Cogswell

Absent: Scott Borucki, Chair- excused

Others Present: Patty Hess, Town Administrator; Barry Hantman, Boy Scout Troop Master for Troop #213, Chair, Planning Board, Chair, Cable Committee, and Town Moderator; Thomas Donahue, Eagle Scout Candidate; Mr. Donahue, parent; Carsten Springer, Josh Manning, Beth Caillouette, Highway Dept.; Bruce Caillouette, Road Agent.

Shawn called the meeting to order at 7:00 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**

**Household Hazardous Waste Collection:** Beth Caillouette provided a Letter of Commitment for the October Household Hazardous Waste Collection for BOS signature. Hampstead will be hosting the fall collection and needs the letter to apply for the grant used for this program. No motion is needed for signature as the document has enough lines for all BOS members to sign. There are currently six towns participating in the program on a rotating basis. Danville hosts every five years. Plaistow holds the Spring HHW collection every year and does not participate in the rotation for the Fall collection. Ms. Caillouette will scan the signed agreement and send a copy to Patty.

**EPA Settlement Invoice:** Ms. Caillouette follows up on documents Patty provided to the BOS from the Shaheen-Phinney law firm. In 2017, records show the law firm was paid \$3000. In 2018, they were paid an additional \$500. Ms. Caillouette notes that she had spoken with officials in Hampstead and they too had received an invoice for the EPA settlement for \$14,000-\$16,000. She informs the BOS that Hampstead had also sent a letter to the law firm regarding the charges, and has not received a response back. Ms. Caillouette notes that she still has not had a response to her e-mailed inquiry, and assures the BOS that she will continue to do research on the issue. Dave K. suggests that at this point to let Shaheen -Phinney respond before spending more time on the issue. He notes his opinion that he would feel better when the results of the MS4 settlement trickles down to the smaller towns so they do not have to deal with all the ridiculous stuff they (the EPA) mandate the Towns do. Ms. Caillouette clarifies the settlement only changed the regulations on phosphorus.

**SAU 55 Withdrawal Presentation:** Carsten Springer addresses the BOS and reminds the public of the SAU 55 Withdrawal informational meeting on Wednesday, March 4 at 7:00PM at the Community Center. He explains he attended the presentation in Plaistow and was very pleased with how it was conducted. He notes it was even-handed, well moderated, represented both sides of the issue, and the presenters were able to answer thoroughly all the questions asked. Mr. Springer strongly urges the BOS to put up signs for the presentation on the Community Center Board as well as the board at the ball fields. Shawn asks Patty to arrange for the signs to go up. Patty will contact the appropriate person for that project.

Mr. Springer notes the presentation in Plaistow was very well attended. Documentation included a two-page synopsis with a substantial amount of data presented in spreadsheet form. Shawn notes that Karen and Barbara did a remarkable job with the data set. Mr. Springer notes the most important part was that the information was boiled down to the basics; SAU 55 does not change, the towns would just leave, and concerns over joint owned infrastructure and equipment involves one fingerprint machine. The school buildings are owned by the Timberlane School District and are leased to the SAU as needed.

Sheila asks if the presentation will be video recorded. Mr. Hantman (as Chair of the Cable Committee) notes he had not planned to do that. Sheila asks if microphones will be available. Mr. Hantman agrees to look at the possibility of doing that meeting. He notes they will be set up for Candidates Night on Monday, March 2. Mr. Springer notes the Forestry Commission will be meeting in the Community Center back room on Tuesday, March 3. Mr. Hantman agrees to look at the schedule to see if he can safely leave the equipment set up for the presentation. Shawn offers to have people come in early to help set up if needed.

Dave K. notes he has had more questions from citizens regarding the withdrawal than any other Warrant Article. Mr. Springer compares the Withdrawal Warrant with the new Police Station Warrant, noting the new Police Station is a \$1.5M-2.6M question over 20 years versus the \$72M SAU/School budget the Town faces every single year. Dave K. notes the FY2020 budget is for \$73M. Mr. Springer also notes it will cost an additional \$1.5M to replace a roof on one of the school buildings.

Shawn notes the Withdrawal is a big issue and feels it is the most important Warrant Article on the School Ballot because it gives some choices back to Timberlane and the School District can start to control its' own destiny. He gives an example of the frustration of trying to set up an emergency SAU meeting when they cannot get a quorum of the three boards. Mr. Springer notes the quorum issue is raised in the presentation. Shawn explains that each board has different issues. He urges the public to look at the hard data not at the "chatter" around the issue. Mr. Springer notes there were 8-9 members on the study committee, three (3) from Danville. He states that while two of those members attended the meetings, one member did not, and feels that member's vote against the withdrawal was due to a lack of being informed.

## **II. Old/New Business**

**Road Bond Request:** The BOS reviews the documentation for a requested change by Josh Manning to an existing road bond. Shawn notes the documentation is missing a recommendation letter from Dennis Quintal, the Town Engineer. Patty notes the spreadsheet provided is from Mr. Quintal. Shawn states the usual process includes an explanation and recommendation letter directly from Mr. Quintal. He states he does not mind a conditional approval until the BOS receives that letter of recommendation. Mr. Manning explains the documentation was provided to the Planning Board via e-mail. Dave K. notes the bond request is for an increase, not a decrease. Mr. Manning explains it is a decrease from the original amount of bond requested, but is an increase from the previous bond because a substantial amount of the work has been completed and he needs to post additional funds to move to the next phase. Mr. Hantman (as Chair of the Planning Board), explains to the BOS the original request was a partial bond to build the roadway, the request will reduce the overall bond, but is an increase to the partial bond needed for Planning Board approval.

The bank letter included in the documentation notes the current bond is for \$110,864, which will increase to \$306,329.90. Dave K. motions to accept the new bond amount of \$306,329.90 contingent on the receipt of a letter of recommendation from Mr. Quintal. Seconded by Sheila. Vote is unanimous (4-0). Shawn explains to Mr. Manning that when Ms. Denison gets the letter from Mr. Quintal, the Town will provide the formal letter of approval. This may take a couple of days. Mr. Manning notes he would like to receive that letter in time for the Planning Board meeting on Thursday, Feb. 27. Shawn and Dave K. explain the additional documentation is necessary to protect the interests of the Town should any issues or questions arise now or in the future.

**Eagle Scout Project:** Tom Donahue of Boy Scout Troop #213 presented his Eagle Scout Project to the BOS for approval. He notes that he will need a contract approved and signed by the BOS because the land he wishes to use for his project is Town property. As outlined at a BOS meeting last year, Mr. Donahue has chosen to build a site to

collect and properly dispose of worn American flags. This project is sponsored by the American Legion and will be built on the right side of the Veteran's Memorial in the center of town. He will build a 12x12 stone patio, requiring digging down 7". There will be a drop off box for flags, a permanent fire pit, and two benches on each side. The drop-off box will be attached to concrete footings 3" thick. Mr. Hantman (as Boy Scout Troop Master for Troop #213), notes the drop-off box will be locked. The fire pit is for the burning ceremony. Mr. Donahue's father showed the BOS construction details. The fire pit will be constructed with four (4) rows of stone bricks. Mr. Donahue noted that in his previous presentation the BOS had suggested the project be constructed next to, or behind the Community Center. He explains that by changing the location to a more public area there will be less of an opportunity for vandalism. He also notes the site has been approved by the Fire Dept. for the burning ceremony, it is 50' away from buildings and designed to be a low-burning fire so there is no risk to any surrounding vegetation.

Shawn notes the American Legion could utilize the site for other events such as the Memorial Day Parade, speeches, etc. Mr. Donahue states the project will cost \$5000 and he has already raised \$4000. Mr. Donahue read the contract to the BOS, outlining the permissions he needed. Mr. Hantman clarifies the extensive list is a request for the BOS to approve the project's exemption from Town ordinances regarding site, project, and engineering reviews and required permitting, etc. Mr. Donahue is also asking for normal access to the Community Center for fundraising for the project, permission to use Town property for the project, and assistance from the Road Agent for snow removal from the site if necessary. Mr. Hantman notes the project must be completed before Mr. Donahue's eighteenth birthday at the end of April.

Dave K. asks if Mr. Donahue had spoken with the abutters to the Veteran's Memorial, noting this included homes as well as an apartment building. Mr. Donahue assures Dave K. that he had spoken with all the residents. Dave K. verifies the location of the project in relation to the Veteran's Memorial. It will be built six (6) feet to the right of the Memorial so people can use the benches. Mr. Hantman notes there is an existing pull-out spot available for people to stop when dropping off their flags, so there will be no need to stop in the road. Sheila confirms that Mr. Donahue has spoken to all of the residents abutting the Memorial. David C. motions to approve moving the project forward, exempting it from the required review and permit ordinances. Seconded by Sheila. Vote is unanimous (4-0). Dave K. nominates David C., as a Veteran and holder of a 4<sup>th</sup> Infantry Division Patch, to be the point of contact/liason between Eagle Scout Candidate Tom Donahue and the BOS. David C. agrees to that assume that role. Dave K. motions to authorize the Vice-Chair to sign the project contract for the BOS. Seconded by Sheila. Vote is unanimous (4-0). Mr. Hantman encourages the BOS and the public to support Mr. Donahue's Eagle Scout project and notes that donations of sand and gravel would be greatly appreciated.

**Election Day Coverage:** The BOS discusses the election coverage schedule for the March 10, 2020 town and school elections. Mr. Hantman (as the Town Moderator) requests that election officials who are also running for other elected positions besides the BOS, Moderator or Supervisor of the Checklist not be inside the building. He notes that because the above named positions are required by RSA to staff elections as election officials, the law allows a special exception for incumbents that are running for re-election for those positions to be allowed inside the polls. Dave K. notes there have been several recent changes to election RSA's, including the change that each Selectperson must either be present at the election or have a delegate per selectperson represent them. Patty clarifies her understanding this change means there would need to be five (5) election officials at the polls for the entire time the polls are open. There is a brief discussion the impact this new law has on small towns and the need for common sense application.

**Agenda Request:** The BOS reviews an agenda item requested by Chair Scott Borucki. The consensus of the BOS is the subject matter is unclear and all would feel more comfortable addressing the issue with a full board present. Dave K. notes that Mr. Caillouette (Road Agent) is working with NHDOT regarding the water issue at Kimball Terrace. Mr. Caillouette informs the BOS that he will be meeting with NHDOT on Wednesday, Feb. 26 at Kimball Terrace to review the issue. Dave K. notes the ongoing water issues is costing the Town daily for treatment, but is necessary due to the safety issues involved. The agenda item is tabled.

**School Ballot:** Shawn notes the School Board had expressed concern with the possibility of the Town not approving the proposed School Operating Budget and needing to work with a default budget, which would

eliminate a \$1.5M proposed capital improvement (CIP) budget. As a precautionary measure, the School Board has added a Warrant Article for an additional \$500,000 for CIP. At issue is the urgent need to replace the roofs on the Middle School. If the Warrant Article is approved, it would provide funds to cover part of the roof replacement project should the School Operating Budget fail to pass. The quote for the entire project is \$970,000. Shawn notes that at their last meeting the School District Budget Committee reduced the School Operating Budget, which he feels has muddied the issue of the need for the CIP Warrant Article as now the entire roof project is funded in the revised Operating Budget. Shawn notes the other important Warrant Article is the one regarding the withdrawal from SAU 55. He reminds everyone of the Informational Meeting on Wednesday, March 4 at 7:00PM at the Community Center. Dave K. publically commends the School District Budget Committee on their hard work on the School Budget. There is discussion regarding future scheduling of the School Deliberative Session, coordinating with other towns so that the School Deliberative Sessions could be held on Saturday rather than the current practice of holding the meetings on a work/school night. Sheila asks if the Town Reports would be ready for Candidates' Night on March 2. Patty feels sure they will be ready by then as the RSA due date is March 3.

**Minutes:** The BOS reviews their portion of the Jan. 27, 2020 minutes. Patty reminds them there was a technical issue in which the second half of the meeting after the joint BudCom Meeting was recorded on a third DVD that was originally missing from the website. That issue was resolved and the minutes were completed. Dave K. noted two corrections: the appointee's name is William Hull (not Powell) and the Senior Coffee hour is Thursday, Jan. 27, not Thursday, Jan. 30. Dave K. motions to accept the minutes as corrected. Seconded by Sheila. Vote is unanimous (4-0).

The BOS has not had an opportunity to review the public minutes for the February 10, 2020 meeting. The consensus of the BOS is to table the minutes until the next meeting so they can review them thoroughly.

Non-Public Minutes for February 10, 2020. There is discussion of those present at the Non-Public session that are qualified to vote as there was a quorum of BOS members at the meeting, but with Scott's absence tonight, only Dave K. and Sheila are qualified to vote on the minutes. Dave K. motions to accept the Non-Public minutes as written. Seconded by Sheila. Vote is 2-0. Shawn and David C. abstain from the vote due their absence at that meeting.

**Correspondence:** Dave K. lets Shawn know there is correspondence addressed directly to him as BOS Vice-Chair from Rockingham County in correspondence folder.

Shawn sadly reads a letter of resignation from Patty Hess, Town Administrator. She will be retiring on May 28, 2020. She has generously offered to participate and assist in finding and training her replacement. After a moment of profound silence from the BOS, Patty notes that Shawn is the only BOS member that has been there for her entire time and he had hired her. Shawn notes how difficult it will be to fill Patty's shoes, thanks her for all her time and flexibility, and expresses his best wishes for her and Allen on their new adventures.



Shawn suggests this might be the time to reassess the role of the Town Administrator and the infrastructure of the Administrator's office. He would like to use the opportunity to look at the process and figure out the best way to approach the position. Dave K. notes that if he were staying he would urge the BOS to restructure the whole position, noting that with the new software just purchased he feels a good financial person will be key to successfully filling Patty's position.

Patty reads the Town Announcements listed below.

David C. clarifies his role as the Eagle Scout/BOS Liaison.

### III. Town Announcements

#### Open Committee Seats:

-  Heritage Commission- 2 alternate position
-  Community Center Management Committee- 2 positions

**National Peanut Butter Lover's Day** is Sunday, March 1.

**Voting Information:**

- ✚ **Monday, March 2, 2020- Meet the Candidates,** 7:00PM at the Community Center
- ✚ **Wednesday, March 4, 2020 – SAU 55 Withdrawal Q & A Meeting,** 7:00PM at the Community Center
- ✚ **Tuesday, March 10, 2020: Danville Town & School Elections** -Polls will be open from 8:00AM to 7:00PM.

**Recreation Committee**

- ✚ **Senior Coffee Hour:** Next Senior Coffee hour will be **Thursday, February 27, 2020; 10:00AM-12:00PM** at the Community Center.

**Eagle Scout Fundraisers: for Tom Donahue's Eagle Scout Project**


- ✚ Pancake Breakfast- **Saturday, February 29, 8:00AM-11:00AM** at the Community Center
- ✚ Spaghetti Dinner- **Saturday, March 21, 5:00PM- 8:00PM** at the Community Center

**First Day of Spring- March 19**

**Rabies Clinic:** Saturday, April 4, 2020 from 10:00AM- 1:00PM at the Safety Complex. Rabies shots for cats and dogs **only** will be \$12.00 per pet.

**National Grilled Cheese Sandwich Day is Sunday April 12.** Everyone is encouraged to pick their favorite cheese and enjoy this wonderful comfort food.

There being no further items to discuss. David C. motions to adjourn. Seconded by Sheila.

Vote is 3-1. Dave K. would like to go on record just once to vote "no" on adjournment. 

Meeting is adjourned at 7:55PM

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

Resignation Letter will be attached to the approved minutes.

Respectfully Submitted  
Deborah A. Christie