

TOWN OF DANBURY - Board of Selectmen

Meeting Minutes

Wednesday , October 17, 2018 6:00 pm

Members Present:

James Phelps
Jessica Hatch
Lyn England
Karen Padgett

Administrative Assistant

APPOINTMENTS

Road Agent Cornell

VISITORS

Bob Guida, Don Hinman

CHECKS/APPLICATIONS/SIGNATURES

- **Payroll and accounts payable** were signed.
- Jim made a motion to approve the minutes of 10/3, seconded by Jessica. Motion passed unanimously.
- The **deed** conveying the **9 Lilac Lane property** sold at auction on 10/13/18 to Jayme Stevens was signed.
- Jessica made a motion to sign an **intent to cut** for **Cook 404-005-001 on Forbes Mt Rd**, seconded by Jim. Motion passed 3-0.
- The Selectmen signed the MS-1 Inventory of Valuation.
- The Selectmen signed the State election warrant.
- Jim made a motion to sign a purchase order for salt for the Highway Department up to the budgeted amount. Motion seconded by Jessica and passed 3-0.

HIGHWAY/ROAD AGENT CORNELL

- Road Agent Cornell updated the Board on the accident with the backhoe on Waukeena Lake Road. Karen filed a claim with Primex, no known damage to the backhoe.
- He would like to post Railroad Drive as no parking for the entire road. In the past the road has been plowed with the pick up truck. Lyn has spoken with the owners of the camper that is parked in the road right of way and they stated it will be moved by the first week of November. However, in grading the road, an extension cord was run over that was buried under the leaves. The owners of the last house on the road are willing to grant an access for a turn around for the plow truck. In researching the road right of way it was determined that the town owns the road 3 rods wide, which is fifty wide. There is a pin set at the edge of the property in question. Jim suggested going that Road Agent Cornell speak with the landowners.
- There is still no resolution with the issue of the New Canada Rd snow plow turnaround. The current proposal from the landowner representative is for a revocable right of way on the condition that the site be monitored by the towns for dumping.
- Karen informed the Board that Bristol Board of Selectmen voted to discontinue plowing of the Bristol Elementary School. The discussion continued about the possibility of Danbury Highway discontinuing the plowing of the Danbury Elementary School. It is becoming increasingly difficult and taking a lot of time to complete what the school is asking for as far as plowing. It was suggested continuing the plowing for another year and give the school notice so they can prepare and add the expense in their budget for next year. After further discussion, it was decided that the Road Agent and Jessica Hatch will meet with the Danbury Elementary School principal to ascertain exactly what is being asked of the town crew with regards to plowing the school parking lot.
- Road Agent Cornell is holding back on some of his budget line items (rentals, calcium chloride) to compensate for some of the over drafted line items.

OLD BUSINESS

- The auction of the Lilac Lane properties took place on October 13 and both properties sold for just over \$40,000. A Bill of Interpleader will need to be filed for the 29 Lilac Lane property that was sold because the property sold for more than the taxes, interest and penalties that were owed on the property. Bart Mayer, town attorney, will file a bill of Interpleader with the excess funds and the Superior Court will determine the distribution of the funds.

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- FairPoint has offered a settlement on their abatement in the amount of \$7,041 which includes a 10% discount that may not last long. Jim made a motion to settle with FairPoint in the amount of \$7,041 on the pole tax issue that has been ongoing for about eight years. Lyn seconded the motion. Motion passed unanimously.
- According to Mark Phelps of Winni Construction, the company doing the Fire Station siding, the trim on the fire station is not in good shape and should be replaced not painted. To replace the trim in pine or pvc ranges from \$12,900 to \$15,000. A decision will be made on that for next year.
- The town received correspondence from our town attorney stating that the letter from the ACLU to Chief Suckling was not relevant to the immigration lawsuit that was filed by the ACLU in Exeter because the circumstances are totally different. According to Attorney Mayer, immigration matters are subtle and complex and should be handled with care. He offered to provide an outline of the immigration issues and a guiding policy of for the police department. Lyn would like to get such an outline. Jim suggested that perhaps they could get the information from legal services at the NH Municipal Association.
- Karen asked if the Board was concerned that there is no work being done on the audit. Currently there is only one auditor who to date has not done any work on the audit. Jim suggested that perhaps it's time to hire an auditor. In the interim, it will be posted on the website and on the Friends of Danbury Facebook page to see if anyone is interested.
- Revenues were reviewed.

NEW BUSINESS

- Merrimack County tax for this year is \$316,156 and is due 12/17/18. Last year it was \$304,112.
- The Danbury PD requested assistance from Donna Duquette, the Alexandria Animal Control Officer, with a stray dog issue. An invoice was submitted for her services in the amount of \$107.58.
- The NH Department of Revenue has completed the MS-434-R DRA approved revenues. Once the school apportionment is done by DRA the Board will be able to set the tax rate.
- First Report of Injury was filed for Highway worker. He is ok and returned immediately to work.
- Joseph Haas has been contacting the Selectmen's office recently. He is not a resident of town and asked if a non resident can make public comments at the Selectmen's meeting. He is an activist spear heading an effort to have certain language into tax bills.

Don Hinman stopped into the Selectmen's meeting to discuss another issue with the access to Rosemary's Woods. The owner of a one acre piece of property down the access road has put up a chain to block the road. The fact that a cable has been put up across the access road to Rosemary's Woods off of Waukeena Lake Road. The owner told Chairman Phelps that he put up the cable because someone had dumped trash alongside the road. A key was given to Mr. Phelps and the owners of the abutting property and Mr. Hinman, as an unofficial steward for The Society for the Preservation of New Hampshire Forest. Mr. Hinman stated that the placement of the chain across the road has effectively made it look like the road belongs to the owner up the road and that the public cannot have access to it. It is an old town road that was closed in 1947 subject to gates and bars. Jim stated that hopefully some middle ground could be reached where people can be kept from dumping trash down the road while at the same time hikers would not be deterred from access to Rosemary's Woods. He suggested signage that stated "No Motorized Vehicles Beyond This Point". The property owner has done some work to the road which makes it more attractive to motor vehicles. Mr. Hinman has no grievance with the property owner. He thanked the Board for their time.

Senator Bob Guida dropped in after campaigning in Wilmot. He talked about the Northern Borders grants amounts being increased from \$10 to \$20 million. Danbury does not qualify for the grants though because it's a

Merrimack County town, not Grafton County. These funds can be used for infrastructure such as fiber optics and broadband. He also suggested public/private partnership for developing broadband. The Senate shot down a bill for bonding of broadband infrastructure because the technology for internet infrastructure is changing so fast that 5 years from now the technology is obsolete but the bond isn't. If reelected he stated that he will be visiting the town more because his personal situation has changed.

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SELECTMEN

- On October 7, the Selectboard met with the Planning Board for a work session regarding clarifying the use of campers as a residence in the LUZO. According to the NH State Motor Vehicle Statutes, the definition of motor vehicle is "temporary living quarters for recreational camping or travel purposes". The state law does not recognize them as being made for full time residency. It is becoming more and more frequent that these campers are popping up in town as residences without the benefit of a building or septic permit.
Jessica and Jim are not in favor of people living in campers permanently full time. Lyn feels that if the property owner chooses to have a camper as their living quarters, it should be allowed. This also ties into affordable housing in her opinion.
Jim suggested looking at the effect that people living in campers has on the value of the neighbors' homes. The Board has a responsibility to ensure that there is some uniform growth within the community and some protection in value and tax base. If the value of a home goes down, the taxable base in the community goes down as well.
Storage containers were also discussed. The discussion on campers and storage units will continue with the Planning Board on October 23rd for another work session. A public hearing will need to be held by January 14th if there are any LUZO amendments proposed.
- Another concern was expressed about all the major renovations being done throughout town without building permits. This also effects the tax base. Jim will be coming up with a draft proposal for 3 different types of building permits.
- Jessica received another complaint regarding the dogs barking on Gould Hill Rd. Also, she mentioned that a home on Restful Road may have added an apartment. Karen will contact the owner for more information. Lyn asked if the Board would be contacting other homeowners who have made changes without obtaining a building permit. Jim suggested making a list so that letters can be sent.
- Town addressing was discussed.
- Jessica stated that the Mango Security list needs to be updated.
- Jessica attended the Budget Committee meeting and updated the board on their discussions.
- Jim suggested setting up an expendable capital reserve fund for building repairs. Year to date expenditures for the general government building line were reviewed.
- Jessica has agreed to be on the NH DOT Commission to run a public hearing on the bridge work to be done over the rail trail on US Route 4. Jim Phelps and Andy Phelps will also be serving on the commission.

FYI

- Quarterly NH Employment Security filed 10/11
- Quarterly 941 Federal Tax Return filed 10/12
- 2019 rates from HealthTrust **\$765.68** - 2018 **\$692.93** - 2017 **\$738.72** - 2016 - **\$701.54**
- article regarding rooms and meals tax catch up provision
- HealthTrust annual meeting 12/6/18 9am at HealthTrust Offices

At 8:45 pm Jim made a motion to recess until all documentation needed to set the tax rate has been received from the NH Department of Revenue Administration. Motion seconded by Jessica. Motion passed. Meeting recessed.

On October 23, 2018 at 6:30pm the Board of Selectmen reconvened to set the tax rate. Present were Jim Phelps, Chair, Jessica Hatch and Lyn England(remotely by phone). Jim made a motion to keep the tax rate unchanged at \$23.50 using \$178,00 from fund balance to reduce taxes and setting aside \$25,000 for abatements/overlay. Motion was seconded by Jessica and passed unanimously.

Jessica motioned to adjourn at 6:45, seconded by Jim. Motion passed.

The next meeting of the Board of Selectmen will be November 7 at 6pm.
Respectfully submitted Karen Padgett, Administrative Assistant

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