

# TOWN OF DANBURY - Board of Selectmen

## Meeting Minutes      Wednesday , May 15, 2019 6:00 pm

**Members Present:** James Phelps  
Jessica Hatch  
Lyn England  
Administrative Assistant Karen Padgett

Also present: James Ford, Linda Ford, Virginia Edwards, Claire Tapply, Chief Suckling, Jeremy Cornell

### Checks/Applications/Signatures

- Payroll and accounts payable were signed.
- Jim made a motion to accept the **minutes of 5/1** seconded by Jessica. Motion passed 3-0.
- May bank reconciliations were signed.
- Building Permits
  - 12-2019B Stoddard 415-043 Garden Shed 5x5x10h - Jim made a motion to approve the building permit and waive the fee. Motion was seconded by Jessica and passed 3-0.
  - 13-2019B Harvey 411-073 storage shed 24' x 30' x 10'h - Jessica made a motion to approve the building permit, seconded by Lyn. Motion passed 2-0. Jim abstained from voting.
  - 14-2019B Braley 418-023 tear down old shed and replace with pre built shed 12X14 - Jim made a motion to approve the building permit, seconded by Jessica. Motion passed 3-0
- Jim made a motion to approve a Fire Department **purchase order for 6 pails of foam \$648.00**. Motion was seconded by Lyn and passed 3-0.
- Jim made a motion to approve the Forest Fire Warden appointments as submitted by Forest Fire Warden, Merton Austin. Motion seconded by Lyn and passed unanimously.

### Old Business:

- No action was taken on the building permit revision.
- Jessica made a motion to offer employees the option enrolling in the vision plan offered by HealthTrust with the town picking of the cost of \$5.34/month/employee. Motion seconded by Jim and passed 3-0.
- The current deed list was reviewed. Deeding will be taking place on June 17 and many of the taxes could be cleared up by that date. One property has a federal tax lien against it. The Board asked Karen to contact attorney, Barton Mayer to ask what effect that federal lien has on the town deeding the property.

### New Business:

- Jessica Gamboa of the Danbury Recreation Committee asked for approval to use rail trail parking on Sunday, June 2nd from 11am - 2pm for a Touch a Truck event. Jim made a motion to grant permission for the Recreation Committee to use the town owned rail trail parking lot for the event, seconded by Lyn. Motion carried. He also noted that the Friends of the Northern Rail Trail should be notified as a courtesy.
- The Board received a memo from John Taylor, Chair of the Planning Board, regarding the building permit for the property at 717 US Route 4. In their routine review of all building permits issued by the Board of Selectmen, it was noted that Mr. Colby was not directed to submit an application for site plan review because he indicated that he would not be changing the "footprint" of the building. Based upon visible construction, that does not appear to be accurate. The Planning Board believes that site plan review and approval are necessary per the Land Use and Zoning Ordinance because Mr. Colby has expanded the scope of his renovations in a manner that alters the footprint. Chairman Taylor formally requested the Board of Selectmen inform Mr. Colby of that requirement.  
The Board will write a letter asking that Mr. Colby stop all renovations that alter the footprint of the property until such time that he has had site plan review and approval from the Danbury Planning Board. The Board determined that BOS Chairperson Jessica Hatch hand deliver the letter.
- Lyn made a motion to sign the request for well water sampling at the Fire Station and Town Hall to be done at no cost to the town by Wilcox and Barton, for the State of NH DES.

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Echo Glen residents Linda Ford, Virginia Edwards, James Ford and Claire Tapply came to the Board to register a complaint about a neighbor playing extremely loud music late at night and early in the morning. There was discussion about a noise ordinance in town. There currently is not one, but this might fall under RSA 644:2.III(a) dealing with loud noises that would "disturb a person of average sensibilities". Chief Suckling said he will speak with the offending party in an attempt to resolve the situation.

Virginia Edwards asked about the process to get a noise ordinance on the books in town. It would have to be voted on at town meeting. A citizen could get the question on the ballot with the signatures of approximately 20 voters(2% of registered voters).

### Highway

Two sand bids were received, one was on time and the other a day later than the deadline set by the Board of Selectmen when creating the request for bids.

Lyn made a motion to accept the sand bid from Phelps Construction at \$5.50 per yard loaded into Town of Danbury trucks and \$6.75 per yard delivered. Motion was seconded by Jessica and passed 2-0. Jim abstained from the vote.

Road Agent Cornell presented a purchase order for a trash pump, hose discharge and arm adapter in the amount of \$1,779.70. This is a fire replacement item. Jim made a motion to approve the purchase order, seconded by Jessica. Motion carried 3-0. He would also like to purchase a magnetic drill but will wait until the town cash flow is better.

Jim asked Karen when she would be able to submit to Primex a request for reimbursement of the building contents and she estimated 6 weeks. To date, approximately \$50,000 has been spent to replace fire damaged or destroyed items. The delay comes from trying to match the items purchased to the spreadsheet provided by Primex to submit for reimbursement.

Cornell reported that paving costs have gone up substantially since estimates were done last year. The estimate received for paving North Rd last year was \$89,000 and now it is \$117,000. Only 1 company came out to quote the project. Different options were discussed but no decision was made. Cornell will get additional quotes for different options and it will be discussed again at the next meeting.

The Road Agent continues to search for a used chipper. He is unsure where we stand on the rental budget line because New England Kenworth has not submitted a bill for the plow truck rental.

The town will be taking a truck down to the Public Works Memorial dedication on June 5. Cornell is hopeful that the new truck will be lettered in time for the dedication.

The Board received a letter from Kyle Levesque of the Danbury Volunteer Fire Department regarding the means of egress in the highway garage. He stated that the building needs to be compliant with the state fire code. The Board had previously requested that he apply for a variance with the State Fire Marshall, but he needed building plans or photos to go along with the application. The Board stated that they will get the information that is needed and request that he apply for the variance.

Jim brought up the topic of the change in the roadway on New Canada Rd. Ragged Mt Resort had deeded property to the town so that the road could be shifted to eliminate the dangerous curve at the junction of Davis Rd. Jim asked if Cornell has a timeframe of when the work could be completed. He said that Ragged is willing to participate in the project and perhaps they could do the engineering for the wetlands permit.

Road Agent Cornell brought up the plowing of the Danbury Elementary School and whether they should continue plowing and sanding or turn it back over to the school district. Other area towns have discontinued plowing. Jim said that the school district has plans for the redesign of the parking lot and that the school district might be interested in purchasing some land from the house in front of the school to expand the parking. No action was taken.

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He attended a training given by NH Municipal Association " Hard Road to Travel" which concerned state laws concerning road maintenance.

Sebrof Road was discussed. According the a survey done by Central Land Surveyors, the road was discontinued by town vote March 11, 1902. It would depend on the wording of the vote as to what the status of the road is.

## Selectmen items

### Jim

He has visited 29 Lilac Lane now that the snow has melted and found that the property is in bad shape. There are 62 tires, and various other junk and he estimates that it will take 6 dumpsters to clean up the property. In addition it needs a septic system. If a contractor were hired to clean it up, he estimated the cost to be \$10,000.

Also, he received a complaint about all the cars accumulating at a property on Bohonon Road. A letter will be sent regarding the cars.

Also, the land only property in Echo Glen that was sold at town auction in 2016 continues to accumulate stuff. There are 2 cars, a box trailer, a Bronco and a snowmobile . He would like to draft some type of letter to him.

At the last Planning Board meeting, Chief Suckling inquired about whether when the cell tower went up on Ragged Mountain there was a stipulation that space could be used for safety services. Karen stated that at the Chief's request she spent a considerable amount of time researching this issue but could not find anything. Jim will check with Anna, the Planning Board Clerk, to see if Planning Board records reflect such a stipulation.

### Jessica

spoke with Gayle Irick, Deputy Treasurer. She stated that she has been sworn in, but never contacted by the Treasurer, never trained in the deposits and is not listed as a signer on the accounts.

Jessica received a complaint from Carol Macuch that the highway department was digging onto her property. According to the Road Agent, they cleaned out the silt from the culvert so the water could get away from the road and dug a little trench at the culvert above that to keep the water flowing. Ms. Macuch said she is going to come into the Selectmen's office to see if the town had any right to do any work there.

## FYI/REVIEW

- Impending deed notices received, 88 High St and 714 Waukeena Lake Rd(Sysak)
- Inventory taken to surplus auction from FD and HWY
- Final inspection bridge work over rail trail done last year - Fri May 17 - in Andover 1pm
- GMI Asphalt to do US Route 4 paving - Grafton line to 104
- NHMA Legislative Bulletins 19 and 20

At 8:45 Jim made a motion to adjourn, seconded by Jessica. Motion carried. Meeting adjourned. The next meeting of the Board of Selectmen will be June 5 at 6pm or earlier if needed, at the discretion of the Chairman.

The Board made arrangements to sign the property tax warrant when it is ready.

Respectfully submitted Karen Padgett, Administrative Assistant