

# TOWN OF DANBURY - Board of Selectmen

## Meeting Minutes      Wednesday , November 29, 2017 6:00 pm Public Hearing to Consider Amending Pole Licenses 6:00 pm

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

**Appointments**                      **Andy Phelps, Cemetery Sexton**  
**Alan Huntoon, Road Agent**  
**Kendra Braley, DCC**

See public hearing minutes and resolution attached.

### Checks/Applications/Signatures

- **Payroll and accounts payable** were signed.
- Meeting minutes of 11/8, 1/14 and 11/15/2017 were reviewed. Jessica made a motion to approve the minutes as amended, seconded by Jim. Motion carried 3-0.
- October Bank Reconciliations were signed.
- Building permits
  - Blay 42-2017B 412-050 for an addition of a deck on the side of house 12 x 36. Jessica made a motion to approve building permit 42-2017B, seconded by Jim. Motion carried 3-0.
  - Heaton 43-2017B 410-048 for home renovations with no change in the footprint of the home. Jim made a motion to approve building permit 43-2017B, seconded by Jessica. Motion passed 3-0.
- Sign Permit application for 1388 US Route 4 owned by Gungewam Outfitters. Jim made a motion to approve the sign permit, seconded by Lyn. Motion passed 2-0 with abstaining.
- Home Occupation application - Jeffrey Hill 899 US RT 4 - Automotive Repair  
The discussion about this permit centered around having a lot of cars parked out in front of the home for storage which would impact the character of the neighborhood, which is not allowed per the home occupation regulation. Karen will draft a letter to the applicant for review by the board at the next meeting.
- 2018 Bristol Ambulance Contract. The contract runs from April 1, 2018- June 30, 2019 and is for \$35,417.64. Jessica made a motion to approve and sign the contract, seconded by Jim, Motion carried 3-0.
- Evans fuel exemption certificates were signed by Lyn England.

### Old Business:

- All Ways Wrecking is available to complete the clean up of the debris at 88 High Street in December. Jessica made a motion to enter into an agreement with All Ways Wrecking for the clean up of 88 High Street subject to confirmation from town counsel that the town can legally proceed with the clean up. Motion was seconded by Jim. Motion passed 2-1 with Lyn voting no.
- A lease agreement for the Barnes rental of the property at 29 Lilac Lane was not signed. It will be reviewed by the Board and put on next week's agenda.
- The Selectmen decided to place 8 "No Parking" signs along both sides of Ragged Mountain Road from New Canada Road to Deckman Road.
- Terry Davis provided a quote for cleaning of the Town Hall on a regular basis. This will be discussed as the board determines their budget. They suggested having the hall thoroughly cleaned in December to use 2017 funds.
- Karen prepared a letter to NH DOT asking them again to fix the intersection of Walker Brook Rd and US RT 4 which presents a safety hazard with the steep approach and the low overpass. This will be discussed at the next meeting.
- Comcast has not responded to requests to complete the franchise renewal agreement.

# TOWN OF DANBURY - Board of Selectmen

## Budget Meetings

**Andy Phelps, Cemetery** Sexton was in to go over the cemetery budget for 2018. Overall the budget is up only \$265. There is a need to purchase a new trimmer for next year.

**Kendra Braley, DCC** discussed the budget request from the Danbury Community for 2018. There is no change at \$16,000. The lease between the Town and the Danbury Workshop has to be renewed by April 2018.

**Alan Huntoon**, Highway Department Road Agent reviewed the department budget for next year. Paving projects proposed by Alan were a one inch top coat on a portion of Waukeena Lake Road and Ragged Mt Rd from New Canada to Deckman Road. He was asked to get some quotes on a North Rd drag shim. A request for a chipper is included. A suggestion was made to get quotes on a used chipper.

Jeremy Cornell tendered his resignation for the Budget Committee. Jim made a motion to accept his resignation with appreciation for the many year of service on the Budget Committee. Motion was seconded by Jessica. Motion passed 3-0.

At 8:1 Jim made a motion to go into non public session per RSA 91-A:3 (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant. Motion was seconded by Jessica. Lyn - yes, Jessica - yes, Jim - yes.

At the board came out of non public session. Jim made a motion to seal the minutes, seconded by Jessica. Motion passed unanimously.

Lyn has been getting inquiries/complaints about the elementary school lunches. She will contact the town's school board representative, Sharon Klapyk to pass along the information.

## FYI

- 2017 tax rate breakdown
- Merrimack County Budget packet
- DVFD stipend requests
- Letter from NH DES regarding Carl Hultberg's solid waste operator license expired
- Ragged Alteration of Terrain Permit amendment approved
- Email reference to shortage of highway help statewide
- Letter from the Town of Alexandria to their taxpayers regarding tax rate increase

At 8:30 Lyn made a motion to adjourn, seconded by Jessica. Motion carried. Meeting adjourned.  
Respectfully submitted Karen Padgett, Administrative Assistant

# TOWN OF DANBURY - Board of Selectmen

## Public Hearing to Consider Amending Pole Licenses 11/29/17 6:00 pm

At 6pm Lyn England opened the public hearing, pursuant to the provisions of RSA 231:163 and 43:2, for the purpose of considering amending all existing pole licenses to include language regarding taxation pursuant to RSA 72:23. The hearing is being held to determine if it is in the best interests of the public good to amend the pole licenses so that they are consistent with the property taxation statutes (RSA 72:23).

Selectman England asked for any public comment or questions. There was none. The Board of Selectmen determined that it is in the best interest of the public good to amend all of the existing pole licenses and all future pole licenses in the Town of Danbury. James Phelps made a motion to adopt the following resolution,

### RESOLUTION

Pursuant to the provisions of RSA 231:163 and 43:2, the Board of Selectmen held a public hearing on November 29, 2017 to determine if it would be in the best interests of the public good to amend all of the existing pole licenses issued by the Town of Danbury through November 29, 2017 to include language regarding taxation pursuant to RSA 72:23. As a result of the public hearing, the Board of Selectmen have found it is in the best interests of the public good to amend these existing pole licenses to include the following language:

In accordance with the requirements of RSA 72:23, I(b) this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the town, pursuant to this license shall be responsible for the payment of, and shall pay all duly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed real and personal property taxes when due shall be cause to terminate this license.

In accordance with the requirements of RSA 72:23, I(b), the licensee(s) hereunder and any other entity using or occupying property of the town, pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I(b), the licensee(s) and any other entity using and/or occupying property of the town, pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the town, pursuant to this license.

The license granted herein, and the duty to pay properly assessed real and personal property taxes, shall apply to any other entity, now or hereafter, using or occupying municipal property pursuant to this license. The duty to pay properly assessed real and personal property taxes shall apply both to the owner and joint owner of any such pole or conduit, or an attach to or user of said pole or conduit, pursuant to permission or by agreement of the owner of said pole or conduit. Within 90 days of the adoption of this amendment, the licensee(s) and any other users, occupying or using municipal property pursuant to this license, shall be responsible for notifying the Clerk of the Town of Danbury as to the use of the poles and conduits hereby licensed. Such notification shall include the following information: the identification number and location of all poles and conduits being used or occupied by any additional parties other than the named licensee; the property and equipment attached; and, the name and address of each such party using, attaching to, or occupying said poles or conduits.

As a condition of this license, the licensee shall, on an annual basis, beginning on December 15, 2017, provide the Clerk of the Town of Danbury with a complete list of each entity attaching to, or using any pole or conduit licensed hereunder. Said list shall be updated annually and shall include the following information: the identification number and location of all poles and conduits being used or occupied by any additional parties other than the named licensee; the property and equipment attached; and, the name and address of each such party using, attaching to, or occupying said poles or conduits. In the event that attachments and/or equipment is removed during the course of the year, written notification, containing the specifics thereof, shall be provided to the Town Clerk.

The changes to the within license set forth in the preceding four paragraphs shall take effect December 15, 2017 and shall remain in effect until changed in accordance with the requirements of RSA 231:163.

Motion to adopt the resolution was seconded by Jessica Hatch. Motion passed unanimously.

At 6:05 Chairwoman England closed the public hearing.

November 29, 2017