

TOWN OF DANBURY - Board of Selectmen

Meeting Minutes

Wednesday , March 21, 2018 6:00 pm

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

Appointments: Lenny Ryan
Road Agent Cornell

Lyn made a motion to nominate Jim Phelps as Chairman of the Board of Selectmen. Motion was seconded by Jessica. Votes were cast unanimously in favor and Jim Phelps will be Chair until the next election.

Checks/Applications/Signatures

- **Payroll and accounts payable** were signed.
- Jessica made a motion to approve the meeting minutes for 2/28/18 and 3/7/18, seconded by Lyn. Motion passed 3-0.
- An abatement refund for Shawn and Sarah Carlson of 55 Sheldon Rd was prepared by Karen. Their property was assessed incorrectly for an additional 7 acres in 2016 and 2017. The abatement refund includes any amounts overpaid and interest on the overpayment at 6% from the date paid. Jim made a motion to approve the abatement refund for \$252.12. Motion was seconded by Jessica. Motion passed 3-0. The check manifest for this was signed as well.
- Jessica made a motion to sign the Declaration of Right to Inter for the Barnett family, seconded by Lyn. Motion passed 3-0.
- Intents to Excavate - Phelps 416-020 and 411-080
Phelps and Lane 407-006 and 418-015
Jessica made a motion to sign 4 Intents to Excavate as listed above. Motion seconded by Lyn. Motion carried 2-0. Jim Phelps abstained from voting.
- A Veteran's Credit application was received for owners of 409-036. Seeing that all paperwork was in order, Jim made a motion to approve 2 credits in the amount of \$2,000 and \$200. Motion was seconded by Jessica. Motion passed unanimously.

At 6:15 pm, Jessica Hatch opened the sealed 2018 winter sand bids. The bids came in as follows:

Bomor Construction	\$5.50 loaded/\$8.50 delivered
Clarke and Company	\$6.50 loaded/\$8.50 delivered
Phelps Construction	\$5.50 loaded/\$6.75 delivered
Huntoon Excavation	\$5.00 loaded/\$7.00 delivered

Lenny Ryan

Mr. Ryan requested a meeting with the Selectboard to register a formal complaint regarding the condition of 88 High Street. He stated there are at least 8 vehicles, maybe 9 parked on the lot. In addition, there are 2 trailers that are full of debris, a camper and empty 55 gallon drums. Miscellaneous trash and debris are strewn about the yard. His questioned the Board as to "what constitutes a junkyard"?

In researching RSA 236 regarding the regulation of junkyards, the Board of Selectmen is authorized to require property owners to remove the junk or to obtain a junkyard license.

RSA 236:112 defines a junkyard as *"a place used for storing and keeping, or storing and selling, trading, or otherwise transferring old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked motor vehicles, or parts thereof, iron, steel, or other old or scrap ferrous or nonferrous material."*

It was also noted that property with 2 or more motor vehicles which are no longer intended or in condition for legal use according to their original purpose constitutes a motor vehicle junkyard.

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Mr. Ryan stated that the property was cleaned out at the expense of the taxpayers and since that time wood, vehicles and debris have been deposited. There is a total disregard for the neighborhood and the people of the town. It is affecting property values. It is not fair to the rest of the people who follow the rules - people who have a garage and storage buildings to store their things and pay taxes on those buildings.

Jim stated that a letter could be written to the owner stating that he is possibly in violation of the junkyard statute and ask what his intentions are. Mr. Ryan closed by saying he expects the town to move forward and take action on this. This is ruining his neighborhood and the atmosphere of the town. It is quite visible from the rail trail.

The Board thanked Lenny Ryan for bringing this to their attention and said they will discuss follow up action.

Road Agent, Jeremy Cornell

Jeremy began by stating that he has been concentrating on safety issues such as wearing safety vests when outside of the trucks, putting out safety signage when working, wearing appropriate safety gear when welding, etc. He is encouraging teamwork and respect and has asked for any suggestions from his team for improvement.

The locks have been changed and people who need a key have been issued a key.

He has not had a chance to take any further action on the DES furnace inspection because he cannot open the email from them. Jeremy stated that he has only been on the job for 2 days and hasn't had time to do a lot of stuff. The computer is ancient. Jessica will do some checking on computer pricing and give the information to Jeremy. The Board authorized him to purchase a new computer and printer. The computer will need Microsoft Word and Excel.

The FairPoint internet is very slow and Jeremy is checking into improving that. He would like to get caller -id for the Highway Department phone line so that he can get back to people who call and do not leave a message. The former Road Agent had said that previously this cost was not approved by the Selectboard. Jessica asked that caller id be installed.

Jim suggested that Becky Huntoon could be of assistance in guiding him through the existing spreadsheets.

As requested, Road Agent Cornell provided a list of all highway department vehicles and equipment with make, year, miles/hours and any work that needs to be done. Jim stated that this is a good baseline start for tracking yearly mileage, usage and maintenance. Lyn agreed. Jeremy's plan is to service the two newer trucks and then park them for the summer to save on wear and tear. Two trucks are down(the '05 and the'08) and he is waiting on quotes for the repairs.

There are 2 unusable trucks behind the garage that will be disposed of - a 1994 and an old Ford fire truck, plus 3 dump bodies, a junk plow and an junk sander. These will be disposed of in one way or another, perhaps as scrap metal or in some way that will generate some revenue.

Jim left the meeting for the sand bid discussion. Jeremy stated a few things:

1. It's not all about the dollar cost of the sand. He would like to look at the quality of the sand from each bidder
2. With only two reliable trucks, it would be foolish to say the crew would do the hauling. It would be more practical to have it delivered
3. If all the sand would be delivered at once, he wondered when would be a good time for that to be done

Jeremy will take a look at the sand from each bidder and get back to the Board on his recommendation.

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Jim returned to the meeting. He suggested the Road Agent visit Bob Bassett, the Grafton Road Agent, to see how he handles the delivery and storage of winter sand. He also stated that the Board would be looking into purchasing a cell phone for the Highway Department.

The Board thanked Jeremy Cornell for coming to the meeting.

Old Business:

- A previously submitted application for abatement and tax deferral was tabled until the next meeting.
- David Jeffers, LRPC, responded to Karen's request for more information about the road surface assessment program. The cost for this program is \$6500 - \$8500. This was more than the Board had anticipated and the town withdrew its interest in the program.

New Business:

- Jim made a motion to accept the resignation of Jean Parady from the Library Trustee position with appreciation for the time and services rendered. Motion was seconded by Jessica and passed unanimously. Sharon Klapyk has expressed interest in taking that position. They asked Karen to contact the remaining Library Trustees, Linda Higbee and Mike Barnett, to get their input on making an appointment to fill the open position. Once that information is received, the Selectboard will make an appointment.
- Dean Martin called to inquire if he (or someone) would be allowed to build on the .92 acre parcel he owns on Railroad Drive. All members indicated that yes, the substandard size lot is grandfathered because it was in existence prior to the passage of the zoning. As long as they meet the setback requirements, it is a buildable lot.
- Premium gasoline is being delivered by Evans per request of the Highway Department. The Selectmen asked Karen to check to be sure that there is no federal tax being included in the gas price.
- Andy Phelps, auditor, having just completed his term, contacted the Board to see how they would like to handle the parts of the 2017 audit that have been completed. The Library and the Trustees of the Trust funds portion of the audit are complete. He feels they are self contained and could be accepted as part of the audit. No auditors have been appointed yet. By law, it is up to the Supervisors of the Checklist to fill the vacant positions. Tom Palmer and Nancy Phelps are currently the Supervisors of the Checklist. Some of the write in candidates might be interested. Karen will reach out to Tom Palmer about filling the vacancy.
- Election results were discussed. Along with the vacancies in the Auditor position, there is a spot for a Supervisor of the Checklist.
- A recount was held prior to the Selectmen's meeting for the Selectman's position. The recount was led by Town Moderator Tom Curren and the recount board consisting of Selectmen Phelps and Hatch and Twila Cook. The final count for office of Selectman was 138 votes for Lyn England and 132 votes for Melissa Suckling.

AA

- After being told that she is required to be involved in group texts after working hours, Karen asked for clarification about her position. She stated that she is an hourly employee and if required to be involved with text discussions, either the town should subsidize the cost of her cell phone or that she be paid for that time. Jessica commented that upon attorney advice, the administrative assistant is required to be included in all texting and emailing so that these discussions could be included in the minutes. She saw no problem with paying the administrative assistant for that time. Karen stated that she will include the text discussions in the minutes going forward.

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- Cell phones were discussed
- Jim suggested contacting New Hampshire Municipal Services to arrange a training on site on the right to know law and specifically regarding electronic communications and the right to know law. Karen will follow up on that.

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- Jessica brought up the topic of Selectboard liaisons for different departments. No decisions were made about this. She also suggested having the Police Chief, Fire Chief and Road Agent in regularly to update on the Board on any happenings in their department. A schedule will be developed.
- Selectmen representatives need to be assigned for Welfare, Planning Board, Budget Committee and Safety Committee. Jessica expressed interest in the Budget Committee. These assignments will be taken up at the next meeting.

FYI:

- NH Town and City
- Legislative Bulletin
- UNH T2 Training calendar
- NH DOT bridge postings inspection
- NHDES notice to RMR Resort re snow pond dam inspection

At 8:21 Jim made a motion to adjourn, seconded by Lyn. Motion carried.
Respectfully submitted Karen Padgett, Administrative Assistant