

TOWN OF DANBURY - Board of Selectmen

Meeting Minutes Wednesday, August 21, 2019 6:00 pm

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

Appointments **6:30 Penny Bill re highway tree cutting**
 7:00 Brian Skroback re taxes
 Jeremy Cornell, Road Agent

Chairwoman Hatch opened the meeting at 6:07pm.

Checks/Applications/Signatures

- **Payroll and accounts payable** were signed.
- Jim made a motion to accept the **minutes of 8/7** seconded by Jessica. Motion passed 3-0.
- **Intent to Excavate - Phelps 411-087 Ragged Mountain Rd.** The purpose of the excavation is to level the land to create a building lot. Jessica made a motion to approve the intent to excavate, seconded by Lyn. Motion passed 2-0 with Jim abstaining from the vote.
- **Driveway Permit 411-082 32 Wiggan Rd Phelps** . Jessica motioned to approve the driveway permit, seconded by Lyn. Motion passed 2-0 with Jim abstaining from the vote.
- Lyn motion to approve **purchase orders for the Fire Department** as follows: \$645.00 for pump testing, \$1300 for inspection and routine maintenance of the 4 FD vehicles and medical supplies \$566.88. The motion was seconded by Jim and passed 3-0.
- Jim motioned to enter into a 1 year contract with Pemi River Fuels to supply #2 fuel oil for \$2.109/gallon and propane for \$1.139 per gallon. Motion was seconded by Jessica and passed 3-0. Contracts were signed.

Jeremy Cornell, Road Agent

A driveway permit for 284 Bohonon Rd was denied because the terrain there is all ledge and there is no way to install the driveway that will not shed water onto the town road creating an icing and drainage problem. There is already one driveway for the property.

Coleman Concrete wants permission to drive the concrete truck over the Ford Mill Rd bridge which is posted for 15 tons. It's a steel bridge with concrete abutments and can withstand any legal load.

The 2008 truck is in the shop because it is leaking antifreeze. Jeremy asked Reed Truck Services to call Primex to see if they would cover half the cost of repairs. The truck will be inspected while it's there.

Road Agent Cornell asked to Board to approve a 3 year contract with GMI Paving to set the price at \$68.25/ ton which is what was charged this year. The concern of the Board is that it locks the town in at that rate. Jessica said that it's holding the price at the current rate. It increased from \$58 last year. Also, it is difficult to get anyone to even quote the jobs here in town. The Board asked him to check with 2 other vendors to see if they are willing to present the town with a 3 year contract. Jim suggested Blaktop and Bryant. Cornell said that GMI has done a good job, Blaktop did Eastern District Rd and it was not a great job. He will see if other pavers are willing to submit a 3 year contract and if one of them is lower, perhaps GMI will come down in price.

Karen will be submitting the first request for reimbursement for the highway garage building contents that were on the list to Primex this week. These items are from the list provided by All Brite, who was responsible for accounting for the items that were destroyed in the fire. At this time the amount is \$42,762.79. Once that is submitted, a second request for reimbursement will be submitted for items missing from the list.

Jim asked that ditching be started on the paved roads so that they can drain properly.

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Penny Bill was in to discuss the cutting of brush in front of her property. She feels the highway crew went too far in cutting brush on her property and asked Road Agent Cornell why he did it. He stated that the brush was cut for safety reasons and for line of sight. When working on the culvert in that area he witnessed a truck pass by and break off several branches.

She has had an ongoing dispute with her neighbor and the neighbor has a pending lawsuit against her. At the least, she should have been notified that the cutting was going to take place. The Board and the Road Agent were unaware that there is a pending lawsuit between the two parties. Mrs. Bill feels that the Road Agent has a personal relationship with her neighbor and did the cutting on the neighbor's behalf. Cornell strongly disagreed with that statement and said that he was doing his job. Per NH law if the circumference of the brush is less than 15" in the right of way, the town does not need permission to cut.

Jessica said that while delivering mail in the area she has seen many cars hit the apple tree branches and other brush. In addition, when coming out of Ms. Bill's driveway, her view was blocked by the apple tree. Jessica said that it has been many years since the roadsides have been cleared of brush and it affects the safety of the people of town. The highway crew has been in other areas of town not just in front of her place.

Jim stated that in hindsight, given the situation, the Road Agent should have discussed the cutting with the Bills. Mrs. Bill left the meeting.

Lyn stated that if the Road Agent is going to talk to one person about cutting brush in the right of way in front of their property, then all property owners must be notified and that is not practical.

Cornell told the Board that the 2009 pick up will not pass inspection because the truck bed is rusted. It will be \$2800 - \$4000 to repair it. The Board is not willing to put that kind of money into a vehicle that will be replaced next year.

Roadside mowing will begin 8/30 and go thru 9/6. The chipper is working out well. It's much better than dragging the brush and spending 12 hours at the transfer station burning it.

Brian Skroback

Mr. Skroback came in to ask for more time to pay his property taxes. Jim explained the lien process to him, and informed him that it's three years until any action is taken on a property so he has time to work through the payment. He expressed thanks for the information.

Chief Suckling came into the meeting to discuss an ongoing investigation. At 7:05 Lyn made a motion to go into nonpublic session per **RSA 91-A:3, II (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 and all in favor.

At 7:25 the Board came out of non public session. No votes were taken, no decisions made.

Old Business:

- At the last meeting the Board approved a building permit violation courtesy notice. The Board discussed several properties where it appears building is being done without a permit. Karen will prepare the courtesy notice for the owners. In addition, there are several vacant properties that are collecting inoperable vehicles, storage trailers, construction debris possibly in violation of the junkyard statute. Letters will be sent to them as well.
- The Board reviewed a letter sent to a new property owner in Echo Glen, town tax map 406-154, who has placed a camper and built a driveway without acquiring the necessary permits.
- In the ongoing building permit revision, rib and membrane buildings were discussed. After deliberation, Jim made a motion that residents placing a rib and membrane structure on their property, without a permanent foundation, are required to complete a building permit as notification to the town prior to construction, showing setbacks but will the town will not impose a building permit fee. Motion was seconded by Lyn and passed unanimously.

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New Business:

- Transfer station operations were discussed at length. According to a statement made to Karen by Jim Larkin, the transfer station is reaching it's capacity. A tremendous amount of tonnage, recycling and otherwise, is being taken out of the transfer station. There is an issue with people taking from the metal bin. The C&D bin is having to be emptied frequently. The Board questioned whether non residents (or people who don't own property in town) were using the transfer station. Jim suggested a second demolition dumpster. Also, a sign is needed to show the fees for dropping tires, mattresses, ac, refrigerators, etc. at the site.
- The Selectmen's Office received a complaint through Jim Larkin about the logging operation on Ragged Mountain Road. He said that area residents have expressed to him their irritation with the noise levels very early in the morning and very late into the night. Jim Phelps will contact the logger to ask him to curtail the hours of operation. Lyn asked if there is a noise ordinance in town that could be used. There is not.
- The highway garage was inspected by a representative from Primex and there were no issues. She did not have an issue with the placement of the stairwell.

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Jim

- The Fire Department tested the new dry hydrant that was installed on NH Route 104 and it is working fine. There will be a bill coming in for the concrete posts that were placed around it but the labor was donated by Phelps Construction. They are 3 more to be installed - at the Jack Wells Bridge, the bridge by the Smith River Trading Post and on Waukeena Lake Road.
- He spoke with Dick Hill about repairing the belfry at the Danbury Community Center. Dick said he would look at it.
- The property at 10 Hemlock Lane has been cleaned up per the Board's request.

Jessica

- The Highway Department employees have not been using a time clock since the fire. Jessica asked to have a new time clock purchased for them to use.

Broadband

The Broadband Committee was originally formed by town vote in 2015 as a "Broadband Internet Survey Committee". The term of the committee was one year per the wording of the warrant. Therefore, the original Broadband Internet Survey Committee no longer exists. Since that time the Broadband Committee has operated as a volunteer committee working to improve broadband access throughout town.

Jim made a motion to affirm this statement, seconded by Lyn. Motion passed unanimously.

The Committee is asking the Board of Selectmen to send out a "request for information" to broadband providers to determine the unserved locations in town as defined by RSA 38:38, I(c). An unserved location is defined as a location that does not have access to at least 25 Mbps download/3Mbps upload speeds(25/3). This will be a first step in pursuing the option of town bonding upgrades to the broadband infrastructure to meet the 25/3 specification. The next step is to issue a RFP for broadband coverage from providers interested in a public-private partnership with the Town.

FYI/REVIEW

- Town tax maps now on Merrimack County Registry of Deeds website
- Final legislative bulletin with new bills passed and bills vetoed.

At 8:30 Jim made a motion to adjourn, seconded by Jessica. Motion carried. Meeting adjourned. The next meeting of the Board of Selectmen will be Wednesday, September 4 at 6pm.

Respectfully submitted Karen Padgett, Administrative Assistant