

TOWN OF DANBURY - Board of Selectmen

Regular Meeting Minutes

Wed., Sep 7, 2016 6pm

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

Appointments:

| | |
|--------------------------|---------------|
| Gordon Ordway | 6pm |
| Sandy Morin | 6:15pm |
| David Miller | 6:30pm |
| Deanna Pellegrino | 6:45pm |
| Tom Curren | 7:00pm |

Checks/Applications/Signatures

- **Payroll and Accounts Payable Manifests** were reviewed and signed.
- **Selectmen** reviewed the meeting **minutes** of 8/24. James Phelps made a motion to approve the minutes as amended (typo), seconded by Jessica Hatch. Motion carried.
- **Building Permits**
 - **35-2016B ORDWAY** 415-038 16' X 24' SUGAR SHACK This building permit had been approved on August 24 on the condition the building be turned 90 degrees in order to meet the required setbacks from the road. Gordon Ordway came to the Board with a new plan for the building, changing the dimensions in order to meet the setback requirements. Turning the building 90 degrees was not going to work for the roof line. The building will be 20' x 26' and will be more than 30 feet from the road. No new building permit was issued as the previous one was amended.
- **LUCT - Lewis 413-024** \$1,100 Jim made a motion to sign the land use change tax for Lewis, seconded by Jessica. Motion carried.

Old Business:

- Primex sent documents to cap our insurance costs for the next two years if we commit to staying with them. Workers Compensation Insurance would have a 10% increase cap and Property and Liability Insurance a 9% cap. The Board reviewed a comparison of insurance costs of the last 5 years. Jim made a motion to enter into CAP agreements for Property and Liability and Workers Compensation, seconded by Jessica. Motion carried.
- Karen received an email from NH Department of Revenue Administration regarding last year's timber operation on New Canada Rd for 415-021. Despite letters sent to the property owner stating a report is needed even if no wood is cut, nothing has been received. The Selectmen know that no wood was cut and no further action will be taken at this time.
- Cathy Cushing contacted the office about the easement deed for a dry hydrant on 410-061 owned by several family members. The family is trying to get it straightened out with an attorney so that the property will transfer to 4 of the six owners. When that is completed the easement deed can be executed.
- The contract with Horizons Engineering for the dry hydrant permits had not yet been signed. \$5000 was appropriated for the dry hydrant capital reserve fund. After Horizons is paid, there may be money left over to install 1 hydrant this year. Motion made by Jim to sign the contract, seconded by Lyn. Jessica Hatch signed the contract agreement with Horizons Engineering.
- NH DOT Highway funds were received in the amount of \$39,565.07.
- Karen contacted DES about a complaint that a septic system at the corner of Rt 4 and NH 104 is flowing into the brook. Dick DeSeve of NH DES will check it out when he gets a chance.
- Cassidy 406-139, still waiting on documentation of estate in order to execute the deed. The payment from Jan Cassidy was deposited as "sale of town owned property". Discussion ensued about how to account for the payments made under the payment agreement on property 406-097.

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Per RSA 80:90:

"back taxes, interest, costs and penalty" shall include all of the following:

- (a) All taxes assessed but unpaid as of the date of the tax deed, together with all taxes which would thereafter otherwise have been assessed against such property based on its valuation, but for its ownership by the municipality.
- (b) All statutory interest actually accrued on all back taxes as of the date of the tax deed, together with all statutory interest which would otherwise thereafter have accrued on all taxes listed in subparagraph (a), but for the property's ownership by the municipality.
- (c) All allowable statutory fees charged for notice and recording in connection with the tax collection process.
- (d) All legal costs incurred by the municipality in connection with the property, including those connected with the municipality's sale or the former owner's repurchase.
- (e) All incidental and consequential costs as are reasonably incurred or estimated to be incurred by the municipality in connection with its ownership and disposition of the property, including but not limited to insurance, maintenance, repairs or improvements, and marketing expenses.
- (f) An additional penalty equal in amount to 15 percent of the assessed value of the property as of the date of the tax deed, adjusted by the equalization ratio for the year of the assessment.

New Business:

- The Board received a letter from the Library Trustees requesting the Selectboard appoint Jean Parady as an alternate. Jessica Hatch made the motion to appoint Jean Parady as an Alternate Library Trustee, seconded by Lyn England. Motion carried 3-0.
- The Newfound Area Regionalization Forum will be held at 6pm on 9/22/16 at the Bristol Old Town Hall. Jim and Lyn will attend but Jessica may have a conflict.
- South Danbury Church will be doing some renovations. They will need to apply for a building permit and the Town will waive the \$50 fee.

Jessica reported on the meeting that was held on September 6 with the Danbury Community Center Board of Directors. Lyn and Jessica attended the meeting. The DCC has volunteers doing the painting on the building. They feel they will be needing a new furnace, and a new roof. A survey will be done asking what the community is looking for from the DCC. The lease agreement between the town and the Danbury Workshop was found showing the lease expires 4/1/2018. The grant requires that the mission statement of serving the low and moderate income population be in place until that time. She also explained the operation of the food bank, where the food items come from and how they are distributed.

Lyn said that after the survey comes back the Board could give them guidance as to the future direction of the DCC. Until the survey comes back reaching out to the public, we're not going to know what the needs of the community are.

Jim feels that the population does not need to be entertained. We should be looking at providing services that are needed. Is there a need for a daycare? An adult daycare? Let's wait and see what comes back on the survey and then hold a forum with the Recreation Committee, the school, the churches, the Grange, the police and fire departments and any other interested parties.

The next meeting of the DCC Board of Directors is September 20 and the Selectmen are always welcome to attend.

Jessica stated that when individual Board members are approached by members of the community or different department heads with issues, that they should be encouraged to come to a meeting of the whole Selectboard so that all board members have the same information.

Karen will write a memo to the Chief of Police asking him to deliver the old cruiser to Phelps Construction garage by Friday, September 16. He is required to turn it over to the Board of Selectmen and they can take care of selling it.

Jim wants to be sure that at the auction on 9/17 the auctioneer makes it clear that lots being sold together in one sale will be merged into one lot and cannot be subdivided in the future.

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Appointments:

- **Doug and Sandy Morin** came in to discuss the letter they received regarding the rib and membrane tent structure with a platform that they built on property on Ford Mill Road.. Doug stated that this

structure was built in 2014 and at the time they did not think they were doing anything wrong. They had done research at the time and did not think that type of structure required a building permit from the town or that it violated the current use statutes. He feels is it not a permanent structure. Doug also stated that at the time it was built, they had permission from Sheree Miller and her mom to build it.

Jim Phelps informed those present that this type of structure did indeed require a building permit that would have to be signed by all owners of the property. As far as the current use penalty, the amount of tax assessed for that would be minimal and probably would not cover the cost of the assessor to prepare it.

Rebecca Rule stated that this property is owned by 3 parties as "tenants in common" with Rebecca Rule owning a 1/2 interest, Sharee Miller at 1/4 interest and Sandra Morin a 1/4 interest. Two of the three parties(holding a 75% interest) want the structure removed. Rebecca had discovered the changes in the fall of 2015 when walking the property. When she completed the property inventory form she made note of all the changes made.

Sheree Miller asked if the Board knew of any plans to build a sap house. The Board has not received any building permit and again stated that any building permit would need to be signed by all owners of the property.

All members of the board agreed that they did not want to be involved in the middle of a family dispute and that there was obviously tension between family members. They asked for something in writing stating their wishes and until then, they would be taking no action.

- **Gordon Ordway**
See "Building Permits" in the signature section. Also discussed was a piece of land currently owned by Gayle Irick called the Orchard Field. The tax map for this property is incorrect. Karen will send documentation to Cartographics to get it fixed.
- **Deanna Pellegrino and Dale Cook -Recreation Committee**
Deanna presented and handed out a proposal for a park and picnic area on the town owned lot across the street from the Community Center and parallel to the rail trail. This area would be for use by the community and the rail trail and would be maintained by the Recreation Committee. They would begin slowly, doing the work by hand. Jim said that the property is a bit wet and has a drainage issue that would need to be addressed. He volunteered to get in there with his bush hog and do some initial brush removal. Dale said we will need to figure out the property lines. The land was purchased from the state in 1991. Karen will do research on the deed to find the boundary lines. Until that is determined, work can be done on the core of the property. They are envisioning a natural space with wooden walkways, raised beds, paths and picnic tables that would be accessible to the DCC and the rail trail.
Jim Phelps made a motion to grant the Recreation Committee permission to proceed with improvements on the town owned lot 201-031-001 to create a railtrail picnic area, seconded by Jessica Hatch. Motion passed unanimously.

A discussion ensued about the Danbury Community Center and the Recreation Committee working together to promote youth activities.

- **Tom Curren**
The first item on Tom's agenda was to ask about putting a 7 X 14 hermetically sealed medical trailer for a family friend with an auto immune disease resulting from undiagnosed lyme. She has been in the hospital for 1 1/2 year and this would be an opportunity to get out of the hospital. This would be for 6 months -

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October thru the spring and would possibly be located beside the house. He would need a building permit for this. If the trailer could be put in the garage, no building permit is needed. He is going to get more information and come back to the board to discuss.

The second item concerned the upcoming election and having a police presence at the polls. We will ask Chief Suckling if an officer can be on duty that day if needed. Also, ask him if he can transport the ballots to New London. Tom did it last time but would feel more comfortable handing the ballots off to an officer.

The voting hours for the September 13 election is 8-7.

FYI

- Regional Impact notification - Plymouth cell tower on Tenney Mountain
- Eversource Performance Contract Information Sessions
- Memo sent to Transfer Station re: deposits to be paid every Tuesday
- Town Hall water test report - no issues
- Thank you letter COA
- Highway DOT drug tests done for quarter/ no issues
- Bankruptcy notice for taxpayer discussed last meeting

At 8:40 Lyn England made a motion to recess until the public auction of town owned property to be held on 9/17/16 at 10am at the Town Hall. The motion was seconded by Jim Phelps. Motion carried and meeting recessed.

Respectfully submitted Karen Padgett, Administrative Assistant