

TOWN OF DANBURY - Board of Selectmen

Regular Meeting Minutes

Wednesday July 22, 2015

Meeting was called to order at 6:00pm by Chairperson England

Members Present: Lyn England, Chair; James Phelps and Jessica Hatch

Others Present: Administrative Assistant, Karen Padgett

Checks/Applications/Signatures:

- **Manifests** were reviewed and signed.
- Minutes of July 8, 2015 were reviewed. Motion made by James Phelps to approve as amended showing that Chief Austin indicated a computer/printer not a computer would be needed, 2nd by Jessica Hatch. Motion carried.
- **Intent to Cut 15-111-12** for Dan and Audrey Wilcox 412-057 Motion made by Jim Phelps to approve, second by Lyn England. Motion carries 3-0.
- **Building Permits**
 - 06-2015B** **Brown** 412-058 solar array. Motion made by Lyn, second by Jessica to approve, motion carries 3-0
 - 07-2015B** **Gallagher** 411-031 Garage 20x26.5 Motion made by Lyn, second by Jessica to approve, motion carries 3-0
 - 09-2015B** **Huyler** 406-194 30'X24' Post and Beam Pole Barn Motion made by Lyn, second by Jim to approve. Motion carries 3-0
 - 10-2015B** **Hamilton** 410-062 New Home 60'X75' Motion made by Lyn, second by Jessica to approve. Motion carries 2-0. Jim Phelps abstained.
 - 11-2015B** **Lane** 410-060 18'X26' Storage Building/Workshop. Motion made by Jim to approve, second by Jessica. Motion passed 3-0.
 - 12-2015B** **Scott** 416-046 20'X26' 1 BR Home Motion made by Lyn, second by Jessica to approve. Motion carries 2-0, Jim Phelps abstained.
- Previously approved **AD&G** Sales Agreement for fuel oil was received and signed.
- Jim Phelps made a motion to sign **Acceptance of Audit Requirements** for Emergency Management Performance Grant Program, second by Lyn England. Motion passed 3-0 and Lyn signed document.

Old Business:

- **Chief Suckling** came in to discuss his purchase order for a new a Python 3 radar @ a cost of approximately \$1600. He was called out to an accident but later called in to explain the PO. The Explorer radar is failing and not doing accurate readings. It would be approximately \$900 to repair. The radar is as old as the car and wouldn't make sense to repair. Jim stated he has money in the budget for it and has done a good job of keeping his spending in line. Lyn England made a motion to approve **Purchase Order 038805** Police Department for **new radar**, second by Jim Phelps. Motion passed 3-0.
- Teri Hardwick of H&H Investments had emailed an inquiry about the taxes on the property with the meteorological towers. The towers were removed in April or May 2014, the town was informed about the removal of the towers in May 2015. The assessment on the property was lowered after the first issue 2015 tax bills were issued. The taxes were paid at original amount and she inquired as to whether the overpayment would be reflected on her 2nd tax bill. After discussion, it was noted that the overpayment will credit toward the 2nd tax bill.
A memo will be sent to Tricia Taylor to advise her of the change in assessment so it can be checked in the fall for the 2nd tax bill.

TOWN OF DANBURY - Board of Selectmen

- All 3 members of the board plan to attend the Regional Selectboard meeting in Bristol on July 23 at 6pm.
- Money has been designated in the budget to fix the **town hall roof**. Jim will have someone draft up the specs - weight of shingle , drip edge, Bitchethane, metal roofing? , etc.
- The **Broadband Committee** has had about 100 surveys returned. The surveys were sent on June 30 and the committee is hoping for a 95% return rate.

New Business:

- **Brenda Belmonte**, representing Ragged Mountain Resort, was in to request the signatures of the selectmen on a wetlands permit application for the fire pipelines to newly constructed cabins. RMR is asking for an expedited review to speed up the permitting process. Because there is no Conservation Committee in the town of Danbury, signatures are needed from the Board Chairperson and the Town Clerk. The board reviewed the application, along with the maps and pictures.
The fire department will hook into the dry hydrants at the pump house. The pipe is 10 inches in diameter and 1270 feet of pipe will go across the ski trail, all on private property, to the cabins. The classification of the wetland will not change.
Lyn England made a motion to sign the permit, seconded by Jessica Hatch. Jim Phelps abstained. The permit was signed by the Chair. Brenda will get the town clerk, Tricia Taylor, to sign the application on Thursday and will leave 4 copies of the permit application for the town to keep.
- **Jim Waring** was in to discuss an ongoing issue with the right of way on his land. He feels it's been resolved yet he continues "to get insult and harassment from an abutter". When he calls the police he does not get a response. Vehicles are parked in a manner that he cannot get out of his driveway. Mr Waring states that former Police Chief Kratz was involved and helped broker a truce. Dale Cook, Chief Kratz and Nick Sorrel entered into an agreement whereas Sorrel cut a path thru his land and accepted a bargain, according to Mr. Waring.
Mr. Waring feels his civil rights have been violated. He does not wish to take the town or the former chief or Mr. Sorrell to court. He built a home in Danbury with the approval of the selectmen in the position it's in. He is asking that the board get involved. Jim Phelps asked for copies of any documents that show the issue was resolved. Selectman Phelps stated that this is a civil and legal issue. The Board of Selectmen have no authority to resolve this issue. The police chief has no legal authority to resolve a right of way issue or a land issue. Mr. Waring provided a copy of a letter written by former Chief Kratz from 3 years ago. Mr. Waring formally requested the original minutes from the Selectmen's meeting on March 4, 2004. This was the date when the original building permit was issued.
- A letter was received from Ryan Schramm, RMR committing to pay for the incremental cost of upgraded pumping capacity of the new fire truck (between \$20,000 and \$25,000) payable upon delivery of the new truck. Lyn noted that Chief Austin hasn't had a chance to weigh in on this letter. Lyn recommended legal look at the letter. She questioned how we would get the money that has been committed from RMR, the terms and conditions, when and how will the funds be collected. Chief Austin will review the letter. Jim Phelps is reluctant to spend money on legal review of the letter.
- The town received a notice of public hearing on the application from Huckleberry Propane & Oil, LLC to establish a fuel oil and propane storage and distribution facility. July 31, 2015 5pm at the Wilmot Town Hall. Individual members of the selectboard might attend, but the board as a whole will not become involved in this issue.
- The town received correspondence from Upton and Hatfield in reference to a notice of foreclosure on the Langill property at 35 Spruce Lane. The town had legal action against her to clean up the property and in the letter Barton Mayer inquired as to whether the settlement agreement had been completed. Jim Phelps indicated that the property had been cleaned up and there is no reason for the town to be involved in this matter. Karen will respond to Upton & Hatfield and let them know the clean up issue had been resolved.

TOWN OF DANBURY - Board of Selectmen

- The Lakes Region Planning Commission is holding a hazardous waste collection day in Bristol. The town is not part of the Lakes Region Planning Commission and the board would like to know what the town would need to do in order to participate in this hazardous waste collection day in Bristol. Karen Padgett will inquire about this.

Other Business:

- Chris Huyler came in to request an abatement on his timber tax. He brought in paperwork to show what he was paid and the tare slips. The slips given did not give a stumpage value for what Mr. Huyler was paid. The timber tax billed was \$486.96. what he actually received from the logging on his property was \$3867.25. The 10% yield tax on that amount is 386.72. Motion made by Jim Phelps to abate the amount of \$100.23 on Chris Huyler's timber tax based on the tare slips and the checks provided, seconded by Jessica Hatch. Motion passed 3-0.
- Nick Coulombe blew a tire on Barry Highlands road after the road was graded by the highway department, said the road was very rocky and wants the town to reimburse him the cost of the tire. The board will need more detailed information from Mr. Coulombe as to when it happened, where it happened, etc. and then the board will discuss.

Other Correspondence, FYI

- **Health Trust** retroactively cancelled Sylvia Hill's insurance effective 5/31/15
- A notice received regarding a foreclosure sale - Silva 408-075 Waukeena Lake Rd
- A survey from Stephen Perron, LLS 843 re the **Sullivan property 413-018** was received along with letter from the surveyor. This parcel has already been changed from 93 to 68 acres and the property owner notified.
- Letter from Alice Sysak 408-077 714 Waukeena Lake Rd regarding tax payments. She pays a small amount (approx \$250) every month toward her property taxes. Lyn asked how much is outstanding. Karen will get a printout from TT as to what is owed and the board will look at it at the next meeting.
- FairPoint Litigation change of attorney form from State of New Hampshire Superior Court
- Planet Aid check for \$74.95 received for 2nd quarter. Jim commented that we have been paying more per ton for the co-mingle than putting in the dumpster and not getting much return.
- Launie Brown inquired about the possibility of a tax credit for solar power. Jim stated that the town has not adopted any such tax credits.

The AA brought up the subject of checks that have not been cashed. According to Lyn, some of the checks were paychecks cashed at Dick's Store and then were confiscated by the state. Checks were also issued to Kimberly Dale for refunded property taxes after property was deeded. A certified letter will be sent to advise her that she is owed this money. Karen will investigate further so the checks can be taken off the books.

Alden Couture came to the Town Hall on July 16 looking for the police to discuss 4 wheelers all over his property, tearing it up. They have a cabin and do skeet shooting. A memo will be sent to the PD to inform them of his concerns.

Don Penland from PLT had some questions for the auditor on the second round of claims. The investigation is ongoing.

At 8:10pm James Phelps made a motion to recess until the Regional Selectboard meeting on July 23, 2015. Seconded by Jessica Hatch. Passed 3-0.

Respectfully submitted by Karen Padgett, Administrative Assistant