

TOWN OF DANBURY - Board of Selectmen

Meeting Minutes Wednesday , June 5, 2019 6:00 pm

Members Present: James Phelps
Jessica Hatch
Lyn England
Administrative Assistant Karen Padgett
Appointments **6:30 Tracy and Mike Feinauer re current use**
 6:45 Road Agent Cornell
 7:00 Chief Suckling
 Doug Colby

Also present Greg Ardine

Checks/Applications/Signatures

- Payroll and accounts payable were signed.
- Jim made a motion to accept the **minutes of 5/15** seconded by Jessica. Motion passed 3-0.
- May bank reconciliations were signed.
- Intent to Cut
 - Gamboa - 409-032 Barry Highlands Jim motioned to approve the intent to cut, seconded by Lyn . Motion passed 3-0.
 - SRK Holdings, LLC - various lots on Ragged Mt Rd, New Canada Rd and Deckmans Rd. Jim motioned to approve the intent to cut, seconded by Lyn. Motion passed 3-0.

Building Permits

- 15-2019B Ardine 201-134** for the placement of a mobile home. Lyn made a motion to approve the building permit, seconded by Jim. Motion passed 3-0.
- 16-2019B Vellucci 411-040-001** for new home construction. Jessica made a motion to approve the building permit, seconded by Lyn. Motion passed 3-0.
- Sign permit for Heidi Stoddard on Challenge Hill Road. The sign will be placed on their property just above and beyond the mailboxes. Lyn made the motion to approve the sign permit, seconded by Jim. Motion passed 3-0.
- A Home Occupation and Cottage Industry application was submitted by Heidi Stoddard for a place to sell eclectic collections, antique items, herbs and gifts. Because she indicated that there will be over the counter sales and drive by/walk-ins, the business would require a special exception from the ZBA. Lyn made a motion to deny the application as a home occupation and refer the applicant to the ZBA for a special exception as a cottage industry. Motion seconded by Jim and passed 3-0.
- Mat McCabe submitted a timber tax abatement request based on a rating done by Shaun Legueux of the cut. Lyn made a motion to grant abatement 2019-01 in the amount of \$688.19 Motion was seconded by Jim and passed 3-0.

Highway - Road Agent Cornell

- Final bill received for the KW truck rental - \$7,287.83. Primex will pay a total of \$15,000
 - J & B Rental - Primex paid \$6985 - balance \$8,015
 - Nortrax - \$7,000
 - KW \$7,287.83
 - Town will have to spend \$6272.82 out of rental line
- There was an accident on June 1 when a vehicle ran into the town backhoe while Mike Maines was driving it to the transfer station. The accident was reported to Primex.
- The cost to purchase the storage unit that is currently being rented from Pac-Van is \$6,087.57.
- The quote for the paving of North Road was reviewed and discussed. It was decided to commit to spending \$109,000 to do as much as possible on North Rd with GMI. The price of paving can be locked in for the next 3 years. The Board asked Jeremy to have GMI work up a contract for the lock in.
- Jeremy attended the dedication of the Public Works Memorial in Concord on June 5 with the new town truck. He said there were over 500 people in attendance.
- The repairs to the loader are 90% complete. The 15 and 08 trucks will be going back for additional repairs.

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- The purchase of a used chipper was discussed. The Board advised him to keep looking.

Old Business:

- No action was taken on the building permit revision.
- The Board received a letter from the owner of 714 Waukeena Lake Rd whose property is scheduled for deeding. She stated that she plans on selling the property and asked if the town could hold off on deeding. The Board noted that she had entered into a payment agreement with the town to pay off old taxes, but has not made a payment in several months. Since she is in violation of the signed payment agreement, the Board determined that she needs to pay off the 2016 tax lien to avoid deeding of the property.
- A thank you ad will be placed in the Kearsarge Shopper and Newfound Landing to thank the area communities that assisted after the Highway garage fire. Thank you cards will be written to others who helped out.

New Business:

- The Board reviewed documents from the Lakes Region Planning Commission for an oil/propane joint purchasing initiative. Jessica made the following motion: The Town of Danbury authorizes LRPC to issue a RFP on our behalf to take part in a regional propane and/or oil joint purchasing initiative. We understand this means jointly issuing an RFP to purchase oil and/or propane at a group rate. We agree not to shop around during the joint bidding process so that our group will have a stable purchasing volume for bidders to base their bid price on. We further understand that we are under no obligation to accept the joint bid price if it is not competitive for our town to do so. Motion was seconded by Jim and passed unanimously.
- Owners of 393 Forbes Mt Rd recently had their land surveyed. They have 2 lots that were put into current use in 2003. The land is currently assessed and mapped for 11.8 and .52 acres. The new survey measures lots as 9.62 and .4. which means it is no longer eligible for current use. Karen will contact Cindy Perkins of CNP, the town's assessing company, to ask how to handle this.
- NHDES is requesting permission to test the water at the fire station to check for chemicals that are typically found in wells near fire stations. The Board agreed that the well should be tested. This is at no cost to the town.
- The Danbury Community Center is holding an appreciation dinner for municipal employees on 6/22 at 6pm. They would like anyone attending to RSVP.
- The tax collector provided the Board of Selectmen with information regarding a court ruling that the current provision for towns keeping excess proceeds when selling tax deeded property after it has been held for 3 years is unconstitutional. More information will follow from the tax collector's association meeting in the fall.

Mike Feinauer and Tracy Feinauer came in to ask the Board's consideration on the tax bill for a property they recently acquired on Sebrot Road. This lot is newly created lot based on a survey done by Central Land Surveyors. He would like to put the land in current use. They purchased it on April 19 and the deadline for filing for current use is April 15. Jim asked if he knew if it is the "Hodgdon Knowlton" lot which was kept out of current use when the original current use application was filed by Willard Huntoon. The Feinauers did not know. The deadline for filing is set in statute and exceptions cannot be made by the Board. They could not make an exception for the Feinauers.

Chief Suckling

The Chief submitted a purchase order for new rotors on cruiser 1. Jim questioned needing new rotors and not pads. The Chief said that it's a defect in the part. Jessica would like him to check to see if it's covered under warranty or a recall before signing the purchase order.

The Selectboard received an email from a Danbury citizen in reference to the newly hired Animal Control Officer. The citizen's concern is that the ACO is not operating from a licensed facility. Chief Suckling addressed this by stating that she does not keep the animals for a long period of time. The Town contracts with the Pope SPCA in Concord. If the owner of a stray animal is not found within a couple of days, she will take the animal to the SPCA. Further investigation will be made into this issue.

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At 7:11 Jim made a motion to go into non public session per:

RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.*

At 7:27 the Board came out of non public session. No decisions were made and no votes taken.

Doug Colby

Doug Colby has property on 88 High St that is set to be deeded to the town for non payment of taxes. A payment of \$748.18 plus interest is due by June 17. Mr. Colby asked for a 30 day extension for the payment of the taxes. Jim asked what would be the cause for not deeding. Lyn stated that legally there are only certain reasons that the Selectmen can not accept the deed. They looked up RSA 80:76 and discussed the possible reasons for a deed waiver. Jim asked him to put his request in writing.

Mr. Colby also wanted to discuss his walk in cooler. Previously he had been told by the Board of Selectmen to stop all construction of the walk in cooler at Dick's Store because it is expanding the footprint of the property. When any business expands the footprint of the property, site plan review by the Planning Board is required. Mr. Colby state that the Department of Energy considers the walk in cooler an appliance. He asked why he got a cease and desist order on installing an appliance. Jim said he got the cease and desist on the structure because he is expanding the footprint. Mr. Colby stated that when he applied for the building permit he did not intent to expand the footprint.

He said he sent in a letter last year requesting information about another store building in the right of way of the state road. He asked what had been done about that. The Board reminded him that a letter of response had been sent at the time. Jim stated that the Danbury Country Store has been for site plan review at least twice.

Jessica stated that he would need to go the Planning Board and Zoning Board and ask them what decisions were made when they went through site plan review and special exception permitting.

Mr. Colby thanked the Board and left.

Chief Suckling stated that he had one more item to discuss with the Board and it should be in non public session.

At 7:50 Jim made a motion to go into non public 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.*

At 8:01 Jim voted to come out of non public, seconded by Lyn. Motion passed. Jessica stated for the record that she had received a call from NH Elderly Services regarding a family in town and the Board intends to follow through on that with the assistance of the Police Chief and see what happens.

Selectmen items

Jessica asked about the building permit that was issued for the property at 284 Bohonon Rd. There appears to be an addition being added not the replacement of the deck which is what the building permit was issued for. Karen will write a letter asking for clarification.

FYI/REVIEW

- Bristol PB notice to abutters re cell tower
- Income received from state surplus auction- \$1,138.50
- Eversource rate increase request
- LRPC meeting minutes
- Legislative Bulletin

At 8:45 Jim made a motion to adjourn, seconded by Jessica. Motion carried. Meeting adjourned. The next meeting of the Board of Selectmen will be June 19 at 6pm.

Respectfully submitted Karen Padgett, Administrative Assistant