

TOWN OF DANBURY - Board of Selectmen

Meeting Minutes Tuesday , July 2, 2019 6:00 pm

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

Checks/Applications/Signatures

- Payroll and accounts payable were signed.
- Jim made a motion to accept the **minutes of 6/19** seconded by Jessica. Motion passed 3-0.
- **Intent to Cut -Cook Eastern District Rd 201-069** - Jim made a motion to approve the Intent to Cut for Cook, seconded by Lyn. Motion passed 3-0.
-Phelps Wiggin/Ragged Mt Rd 411-082 Jessica made a motion to approve the Intent to Cut for Phelps, seconded by Lyn. Motion passed 2-0 with Jim abstaining.
- **Building Permit**
 - 18-2019B Bill 409-108** - lean to off of garage - Motion made by Jim to approve the building permit for Penny and Raymond Bill, seconded by Lyn. Motion passed 3-0.
 - 19-2019B Phelps 410-082** - complete house renovation - no footprint expansion - Motion made by Jessica to approve the building permit for Phelps on Wiggin Rd, seconded by Lyn. Motion passed 2-0 with Jim abstaining.
 - 20-2019B Huntoon/England 405-003-MH1** for placement of a mobile home. Jim made a motion to approve the building permit, seconded by Jim. Motion passed 3-0 with Lyn abstaining.
- The road agent submitted a **purchase order** for a magna drill for **\$1,423.89**. This is a fire replacement item. Jim made a motion to approve the purchase order, seconded by Lyn. Motion passed 3-0.

Highway

- Jim made a motion to purchase a chipper from Bowen Tree Service for \$20,000 and motion was seconded by Jessica and passed unanimously. Jim made a motion to withdraw \$20,000 from the highway equipment capital reserve fund to cover the cost of the chipper. Motion was seconded by Lyn and passed 3-0.

Susan Connolly/Deborah Charlebois

- Ms. Connolly came to the Board to register a complaint regarding Police Chief Suckling. She is having issues with people trespassing on her property and she is getting no help from the Chief. She would like him to do his job. On multiple occasions she has asked him to come to her property and he declined. The issues are criminal threatening and trespassing. It took three weeks for the criminal threatening arrest. Now she wants the Chief to go talk to the person trespassing on her property. The Board said they would speak with the Chief. They asked if she had filed a no trespass order with the Police Department which they will then serve on the person in violation. She had not. The Board suggested she get the no trespass order and file it with the Police Department to start the process. They also suggested she post no trespassing signs down near the road. Ms. Charlebois asked if there are set hours for the Police Department. There are not, said Jim, and if there were, they would not be published. That is why there is a 911 number for emergencies and the PD number for non emergencies. The non emergency number for the Police Department is 768-5568.

Old Business:

- Donna Duquette, the town Animal Control Officer, contacted the NH State Department of Agriculture to start the process of licensing her facility in Alexandria. Ms. Duquette and Chief Suckling received the following response from Cynthia M. Heisler, NH Dept. of Agriculture, Markets & Food, Division of Animal Industry: *"As a municipality that holds strays for a small amount of time in order to find the owner, or transfers them to a licensed facility to hold or adopt out if the owner cannot be found does not qualify for licensing with the state."* Based on this statement from Ms

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Heisler, the Board determined that a state license is not required for the ACO facility and will no longer pursue obtaining the license.

The Board received recommendations from attorney Barton Mayer for handling building permit violations. He suggested three communications (with two "courtesy" letters) because the court then understands the town has done everything it can before filing the complaint. The letters should state the time frame for compliance. For example, the first letter could require a meeting with the board within a prescribed period of time. The second could order a permit be secured within a certain period of time. The order will set a period of time, or a court action will be filed.

1. Courtesy letter, notifying owner of violation, and request for meeting with board, or other relief;
2. Second notice (also a courtesy letter)
3. Notice of Violation (with appropriate language that meets the statute);
4. Court action.

The Board will adopt his recommendations and develop a standardized first response letter. Lyn also stated that completing the building permit revision is important. Karen will work up a draft of the letters and notices.

- All members of the Board of Selectmen met on June 25 at the Danbury Elementary School with school officials and the project manager to discuss renovation plans to the school parking lot. The Board offered suggestions and possible revisions to the plan. They strongly encouraged the school district to survey the property to be certain of the boundary lines before starting any work. It was a constructive meeting.
- The Board reviewed the current finances and budget of the town.

New Business:

- Checks are to be prepared for the next meeting to be deposited in the various capital reserve funds as voted on at Town Meeting.
- Chief Martin submitted two questions via email to the Board. The first question is relative to the dry hydrants and where we stand on the installation and permitting for the remaining hydrants. Jim responded that the permits obtained in 2016 are valid for five years. Also, all the equipment has been purchased and is in storage. He is hopeful that the projects will be completed in the fall.
The fire chief also inquired if the Board had plans to complete the trim at the fire station this year. He offered to obtain quotes for the work. All agreed that they would like to see the project completed but are concerned that the cost, based on previous estimates, is greater than the amount that is in the budget for government building repairs. Jim said that rather than replacing the existing trim, it may be less expensive to wrap it in metal. They agreed to have Chief Martin obtain quotes to have complete the fire station.
- A question arose about whether accrued sick time can be used to visit a sick sibling. It was determined that this is an acceptable use of sick time.
- Primex premium holiday WC \$696.22/Property \$947.69

Jim motioned, seconded by Jessica and so voted, to adopt RSA 31:105, Indemnification for Negligence, as follows:

The Danbury Board of Selectmen hereby adopts the provisions of NH RSA 31:105 and specifically indemnifies and holds harmless pursuant to that statute employees of the Town of Danbury. The Board also affirms this adoption of RSA 31:105 and indemnifies and holds harmless pursuant to that statute any person employed by the Town, any member or officer of its governing board, administrative staff, or agencies, including but not limited to, selectmen and all other officers, officials, trustees, and members of all other boards, commissions, and advisory bodies created or existing pursuant to statute, charter or general law authority, from personal financial loss or expense, including all reasonable legal fees and costs, arising out of any claim, demand, suit or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time

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of the accident resulting in injury, damage, or destruction was acting within the scope of his employment or office.

- Letter from Gov. Sununu regarding the budget veto and invitation to an informational session July 19 at 10am.
- The Board gave approval for signs to be placed on municipal property looking for census takers.

Selectmen:

Jessica reported on the latest Broadband Committee meeting. Representatives from Consolidated Communications met with them. They were responsive to the possibility of putting in fiber optic lines and will work up a cost. The Town of Chesterfield worked with Consolidated to get town wide broadband using the recently passed SB170 which allows a public/private partnership for bond issues for broadband.

The possibility of an auction of tax deeded properties was discussed. Karen will contact JSJ Auctions to check about possible dates in the fall.

FYI/REVIEW

- Letter from LRPC - no rep on the Transportation Advisory Committee
- Vacation request
- Well sampling results from Wilcox and Barton - Town Hall/Fire Station
- Letter from USPS regarding mail delivery points
- Letter from NHDOT regarding rail trail bridge sent to abutters

At 7:15 Lyn made a motion to adjourn, seconded by Jim. Motion carried. Meeting adjourned. The next meeting of the Board of Selectmen will be Wednesday, July 17 at 6pm.

Respectfully submitted Karen Padgett, Administrative Assistant