

**Town of Danbury**  
**BOARD OF SELECTMEN MEETING MINUTES**  
October 20 , 2021 6:00 PM

**Present:** Selectmen Jessica Hatch, James Phelps, Tracy Shepard  
Administrative Assistant Karen Padgett

**Others Present:** Deborah Aylward, Jason Potter, Michelle Potter  
Chief Suckling

**Checks/Applications/Signatures)**

- **Payroll & accounts payable** were signed
- Jim motioned to adopt the meeting **minutes of 10/6**, seconded by Jessica. Motion passed 2-0, with Tracy abstaining from the vote as he was not present.
- **LUCT Burbach 406-167 \$960.00 and 407-005 \$120.00** Jessica motioned to sign both land use change taxes, seconded by Tracy. Motion passed 3-0.
- Jessica motioned to sign the MS-1 Summary Inventory of Valuation, seconded by Jim. Motion passed 3-0 and the document was signed. Karen will upload the MS-1 to the NH Department of Revenue portal.

**Deborah Aylward**

**1) Questions**

**Does Selectman Phelps have a pecuniary interest in the Bemis lot 201-002?**

*Selectman Phelps did not answer the question.*

**Status ‘Zoning Ordinance Amendment Recommendations’ submitted for consideration in the general community interest.**

*Nothing has changed since the last meeting.*

**Clarification of Karen’s comment about ‘boards’ made on Oct. 13, 2021.**

*Jessica said that the comment was not made in a meeting and the Board is unaware of the statement. Check with Karen Padgett as to what she meant.*

**Status of ‘Joint PD’ proposal.**

*Nothing has changed since the last meeting.*

**2) In the public interest, and so citizens may know their rights, requested is that:**

**a. All valid ‘municipal legislation’ (as statutorily defined) be posted to the Town website within thirty (30) days of this request, and that an ‘Index’ of said legislation be created in paper form; and that all said legislation in paper form be centralized (i.e. organized chronologically from date of adoption or enactment, and when amended, if amended, with said municipal records permanently maintained, and retained in paper form.**

*Jim said the Board will take that under advisement. It will take a lot of work but in the long run it is probably worthwhile to do it.*

**Old Business**

- Timothy Cleary submitted a current use map showing the property to be removed from current use for 406-252 on US Route 4. The building permit application is now complete.
- The extension requests for the dry hydrants’ installation has been granted by the NH Department of Environmental Services. The permits are now valid until 12/20/2027.
- The quote from CWS Fence for the Frazier Bridge guard rail repairs damaged by a Clarke and Company driver in December 2020 was received and submitted to Acadia Insurance(Clarke & Co Insurance). The insurance company needs the following information before they can come to an agreement about the repair cost:
  1. age of the original guard rail
  2. detailed list of the materials needed and the cost of materials
  3. hourly rate for each of the trades involved
  4. estimate of labor hours for each trade involved

Jessica will speak with Road Agent Cornell to get the information.

- Gary Donoghue, of the Danbury Planning Board, at the request of the selectmen, drafted proposed changes to the Danbury LUZO to incorporate required language about accessory dwelling units. The changes will be reviewed by the Planning Board at an upcoming meeting.
- Information was received from Philip St. Cyr of NH Primex regarding the process for creating a Jr. Firefighter program. This will be forwarded to Fire Chief Martin for his review.

### **New Business**

- The current electricity supply contract with First Point Power expires in November. The rate will then increase to .1599 kWh from .06247. The current market is for electricity is volatile. A contract proposal from Ryan Polson of Standard Power was reviewed. From now until 3/22 the rate will drop back to Eversource pricing. Then from 3/5/22 -11/21/22 the rate is \$.0835/kWh and from 11/19/22-11/21/23 it will be \$.0882/kWh. Also, the Town will receive a quarterly rebate of \$.003 per kWh of what we use. Jessica motioned to sign the contract, seconded by Jim. Motion passed 3-0.
- Merton Austin will be resigning as Forest Fire Warden effective 12/31/2021. He has informed the State of NH Division of Forests and Lands and will submit a written letter of recommendation. He is recommending Jacob Moran for the position. Jake has been working with Merton throughout the year and is ready to take the position.
- Primex insurance rates for next year:
 

Property liability	\$26,679 up \$3,215
WC	\$11,260 down \$502
Unemployment	\$500 same
- Health Insurance rates will drop from \$874.97 to \$804.10 (-\$70.87). Dental/vision rates – range from \$35.25 to \$48.22. Minimum of 4 employees (75% of eligible employees) must enroll
- Karen received a question from a potential buyer of land on Murray Hill Rd about the possibility of putting a camp and a residence on the property. The answer from the Board members is it must be shown that the land can be subdivided with two good acres for each lot. Wetlands and slope over 25% do not figure into the calculation.

### **Jason and Michelle Potter**

The Potters spoke with and to the Board of Selectmen for over 40 minutes. The problem of not being able to get power to their property on Railroad Drive persists. Eversource prepared a liability release for the Ardines to sign that would release the power company from any liability if their septic system, which is in the road right of way, is damaged when trucks pass over it. The Ardines have had the letter for over a week and did not sign it.

The Potters are beyond fed up as this has been going on for a long time and they need to get their house built. They now feel that this is an issue between them and the Town and will be filing a lawsuit against the Town. They do not want to do this but feel it's the only recourse. The Board understands the frustration. Jim had spoken with Chris Blevens of Eversource. He also spoke with Mr. Ardine who was requesting Mr. Potters phone number. The Potters have not received any phone calls from him. The Board had previously sent letters to the Ardines and to Eversource indicating that it is a right of way in front of 24 Railroad Drive and the public has a right to pass.

### **Selectmen Items:**

Jim reported that the clean up of the New Canada Rd turnaround is complete and looks good. He will be providing the rocks for a barrier within the next couple of weeks.

Jim supplied a copy of the letter signed by the Selectmen and submitted to the Hill Zoning Board of Adjustment in regard to the possibility the use of Poverty Pond Road as an access for a new gravel pit in the Town of Hill. The letter states that if Poverty Pond Road is being considered as access, then “the Town of Danbury requests that you consider this a “Development of Regional Impact” under RSA 36:54 and issue notices as required to the Town of Danbury.”

He later received informal information that the road will not be used as an access point.

The Selectboard received a letter of complaint from a longtime resident of Echo Glen objecting to the conditions of some of the properties in the Glen. Jessica met with the taxpayer. The taxpayer wrote of one property that should be condemned, another that is being used as a construction storage site, with one further down the road that is a junkyard(without a residence) and finally one that looks like “there was a yard sale hit by a hurricane”. There is also an abandoned car in the road right of way. The taxpayer feels the residents of Echo Glen are “being denied the opportunity to be proud of the environment that is our neighborhood”.

The Board discussed the properties in question. Some of these issues have been addressed at least once with letters sent to the property owners. Additional letters will be sent asking for compliance with the local zoning ordinance and junkyard statutes.

Tracy expressed concern about the roof project of the small storage building at the Transfer Station. Jim Larkin has been working on the roof and Tracy felt that was unsafe. The scaffolding has been taken down. Jim Phelps has spoken with workers at LaVorgna Construction who will do the work but are too busy now.

Jessica, as the ex-officio member of the Budget Committee, reported on the committee’s meeting schedule. She asked the other Board members if they are agreeable to meeting jointly with the Budget Committee to have the department heads present their budget proposals. All were in favor of this as it will be a more efficient use of everyone’s time.

At 7:12 Jim motioned to go into nonpublic session per

*RSA 91-A:3, II(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

Motion seconded by Jessica and passed unanimously.

At 7:18 Jessica motioned to return to public session, seconded by Jim. Motion passed unanimously.

During the nonpublic session Jim motioned that if there is no signed agreement from the Ardines to Eversource by 5pm 10/21/2021, the Board will direct the Town Attorney to proceed with appropriate action. Motion was seconded by Jessica and passed unanimously.

Chief Suckling was in to request scheduling the next meeting with the Alexandria Board of Selectmen to discuss the possibility of a joint Alexandria/Danbury Police Department. Jim will reach out to James McTague, the Police Chief of the Temple/Greenville PD and ask when he would be able to attend a meeting to provide an overview and respond to questions about their town agreement.

At 7:22 Jessica motioned to adjourn, seconded by Jim. Motion passed 3-0. Meeting adjourned.

**FYI/No action needed**

- Septic approval operation /76 Eastern District Rd/Hoyt Brook Rd
- 3<sup>rd</sup> UC reporting completed 10/15
- 3<sup>rd</sup> Qtr 941 completed 10/15
- Association of Assessing Officials ballot
- Eversource invitation to Arboretum

**The next meeting of the Board of Selectmen will be November 3, 2021 6pm, Danbury Town Hall.**

*Respectfully submitted, Karen Padgett, Administrative Assistant*