

**TOWN OF DEERFIELD
BOARD OF SELECTMEN**

**March 21, 2011
MINUTES**

Call to Order

5:30pm: Chairman, Stephen Barry called the meeting to order.

Pledge of Allegiance to the Flag

Chairman Barry asked all to rise and pledge allegiance to the Flag.

Present: Stephen R. Barry, Chairman; Alan E. O'Neal, Vice Chairman; John Reagan, R. Andrew Robertson and Bill Perron, Selectmen

Also Present: Jeanette Foisy, Finance Director and Nese Farrell, Recording Secretary

Organizational Meeting for 2011

1. Nomination of Chairman & Vice Chairman of the Board of Selectmen (BOS)

MOTION: Vice Chairman O'Neal moved to nominate John Reagan for Chairman.

SECONDED: Selectman Perron seconded the Motion. **VOTE: It was a Vote in Favor.**

MOTION: Chairman Reagan nominated Alan O'Neal for Vice Chairman.

SECONDED: Selectman Perron seconded the Motion. **VOTE: It was a Vote in Favor.**

2. Nominations of Committee/ Commission/ Board Representatives

- A. Planning Board/ Selectmen's Member: Selectman Perron will serve as the Selectman Member.
- B. Planning Board/ Selectmen's Alternate: Selectman Robertson will serve as the Selectman's Alternate.
- C. Municipal Budget Committee/ Selectmen's Member:
Selectman Barry will serve as the Selectmen's Member.
- D. Municipal Budget Committee/ Alternate Selectmen's Member:
Vice Chairman O'Neal will serve as the Alternate Selectmen's Member.
- E. Heritage Commission Representative: Selectman Robertson will serve as the Selectman's Alternate.
- F. School Board Representative: Selectman Robertson will serve as the Selectman's Alternate.

Other Organizational Business

1. BOS Meeting Time: The Board will continue with the 5:30pm meeting start time.
2. Format for Agendas: The Board will continue the current Agenda format.
3. Format for Minutes: The Board will continue the current Minute format.
4. Record of Votes: The Board will continue the same format.
5. 2011 Budget Expenditure Process: Vice Chairman O'Neal said they may have to revisit the Bid Process Policy this year.
6. 2011 Request for Expenditure Process: Vice Chairman O'Neal said they may have to revisit the Bid Process Policy this year.
7. Election Results: They are posted on the George B. White building and are available online.

Selectman Barry said that Mark Tibbetts is going to get prices for the repairs on the front of the George B. White building and hopes to get it out to bid in the next few weeks.

Selectman Barry said **Article-10** was voted in and recommended they take a vote, as it was not properly noticed, to make a decision early that they will do it next year properly (and possibly other roads).

Selectman Robertson wondered if it was legally feasible for the Board to not act upon the instruction of an election and asked if they have to let them appeal it and give them the reason of why it should be appealed. Selectman Barry said the Board did go on record before the vote stating that they didn't want the Town to vote for it, because of noticing requirements not being met.

Chairman Reagan acknowledged a letter from John Dubiansky, Attorney at Law; regarding Article-10 being approved by the voters despite the note the Board printed on the Voter's Guide. His letter added that since the Board has publically stated that the warrant article is legally deficient, he trusts that the Town will continue to honor its obligation to plow Swett Road.

Mr. Dubiansky's letter noted that at the Selectman's meeting, prior to the town vote, he stated that the Sidmore's were willing to discuss their concerns regarding maintenance; the offer remains open.

Selectman Barry said they should hear what they are offering and negotiate, but they know they didn't notice them correctly so they will speak to the Sidmores. Vice Chairman O'Neal agreed and feels they should schedule sometime within the next few months to hear them out.

Vice Chairman O'Neal referred to **Article-9** passing (selling lots on Freese Pond) and Selectman Barry said that the Town Administrator is on top of pulling those facts together and getting them on the Board's schedule.

Energy Committee/ Committee Update

Wes Golomb said the Energy Committee is present to update the Board and get some direction. He said they have some projects running into frustration and wanted to discuss how to get on the same page.

He said there have been audits on many of the town buildings and he said they could pick the building with the most potential for savings; which he believes is the George B. White building. He added that there is money to be saved in a time when there is not a lot of money to spend.

Chairman Reagan asked if they had a plan and Mr. Golomb said that John Snell (consultant that did the Town's audits) will come in to meet with the Committee and give them the information on his audits. He said then they will have specific details on recommendations on the building, and he hopes some cost benefit information.

Vice Chairman O'Neal asked if they had seen the energy audit done on the George B. White building and Mr. Golomb had read about it.

Fire Department/ Rescue Update

Chief Mark Tibbetts wanted to bring up what he's learned over the last couple of months and mentioned that a fire fighter in Sandown lost his life doing ice water rescue training. He said that since then, they have learned a lot and have been passing information along. It seems that this fire fighter was only in the department for two months and none of his paperwork was brought up to date. The day he died, they learned that he didn't have life insurance and consequently the town he worked in is responsible for the funeral costs, lodging of his family, etc.

He said there is a **"Line of Duty Death"** booklet written by Mark Klose, Deputy Chief of Bedford. The Department of Justice, Public Safety Offices Benefits says that every fire fighter needs to sign this every year, a beneficiary needs to be put on it and kept up to date. Mr. Tibbetts has started this in his department and have passed it onto the Police Department and Rescue Squad. He added that the paper, completely correctly, is worth \$318,000.00 (it changes from year to year). He said they also learned that he did not sign anything as far as a "line of duty death" funeral. Mr. Tibbetts has the appropriate paperwork for this.

All the Fire Department members belonging to the New Hampshire's Fireman's Association pays \$20.00 per firefighter, per year; worth \$10,000.00 of life benefits and disabilities benefits. They learned that if a firefighter comes in, they cannot wait till the end of the year to complete it; it must be done immediately. This is another thing Mr. Tibbetts has put into place now, and he will put someone in charge of this to bring the paperwork up to date every January (in case of change of beneficiary or such).

He said that every time a person gets hurt or killed in the line of duty, National Institute of Occupational Safety & Health comes in to see all the paperwork in regards to training; which is why it is crucial to put mandatory training into each one of the firefighters, keep good records of it and require training.

Mr. Tibbetts was injured on February 10, 2011 during a fire call on 10 Mountain Road. He has gone to see an orthopedic surgeon and will go for an MRI sometime the end of this week. He may have to be operated on.

He advised the Board that **Engine-1 will be out of service on April 11th for refurbishing** (tank restoration).

Deerfield Women's Club: Mr. Tibbetts referred to the Woman's Club donating \$300.00 towards remodeling the bathroom at the Town Hall and he decided to put money in from last year's encumbered money. The floors have been

painted, put new fixtures on the walls, the vanity & toilet has been purchased; it all should be ready for the historical meeting & coffee house.

Major Leak on March 20, 2011 at the George B. White building (GBW): Mr. Tibbetts said that on Sunday there was a major leak in the driveway and they shut the water to the building off; after a test they found they are losing 8-10 gallons per minute. He got a hold of Butch Brown and EJ Prescott of Concord, as there could be more leaks. They will come out tomorrow to do a test to trace the source of the leak and Mr. Cote will get a hold of Dig Safe to mark out the electrical line in the driveway. It was determined that they will close the George B. White building's lower end to dig it up and repair it (hopefully in one day). They may find more leaks due to pipe corrosion (pipes are about 40-50 years old).

He added that they have replaced a lot of the old emergency lights in the GBW building in the last few weeks in efforts to bring things up to date. The double doors' lock mechanism was falling apart, so he replaced one side of the door (\$500 in parts alone).

Rescue Squad/ Captain Opening: A month or so ago Chris Gamache stepped down as Captain and he appointed Cynthia McHugh as the new Captain of Deerfield Rescue and he is confident that she will do a great job.

PSNH/ Substation Update

Present: Mark Vattes, David Plant & Dan Cole

Mark Vattes said they are following up to the companies appearance to the Town on 1/31/11, to provide some updated information of what was discussed at that hearing. He mentioned that they will cover the project status, neighbor concerns around the substation and some security issues (three intruders were apprehended by the local police).

Allison McLean (changed position in company); David Plant and he met with the Town Administrator, the Police Chief and Fire Chief regarding some concerns still pending. He did some follow up with the neighbors and will share more information on that with Dan Cole (the construction representative).

Project Manager, David Plant said they have been in construction for about a year and it is fair to say that the heavy construction is behind them now; remaining is the series of outage related construction events, which require small blocks of work to be supported by outages of certain pieces of equipment. Through each of these outage events, they will have control cable to pull & terminate, move pieces of equipment from sites around the yard and onto a foundation that has been casted. They will need to terminate new wires, commission the new equipment, remove the old equipment, as well as commission the relay systems within the substation's control house. These series of events will carry them through just prior to Thanksgiving.

They will have three major milestones in construction this year; one occurs on April 8th where they will finish their construction on the 115kv side of the substation, then they will move into the 345kv phase on April 11th starting another series of outages through July 20th to have the new transformer in service. After July 20th, they will take another 5.5 weeks of preparation work for the last series of outages that will start after Labor Day and conclude just prior to Thanksgiving (all the new equipment will be in service, tested and energized).

After Thanksgiving there will be one substation battery to be replaced (a couple of day's worth of work), do the punch list and clean up with hopes to be out of there by Christmas.

Chairman Reagan asked whose out when they say "outages" and Mr. Plant said it is certain pieces of equipment in the substation, done in series so that they don't have to take the entire substation out of services at once. He confirmed that no customers will be affected.

Mr. Vattes said there were some concerns from the neighbors about backup alarms being used prior to 7:00am and he said that all construction personnel have been made aware of the requirement that no backup alarms are to be used prior to 7:00am and the message has been reinforced.

He said another concern relates to the security issues; they have been leaving three lights on (attached to the control house) for security. It was shining into some homes and he visited with the Boyson family last week and are in discussions on whether to put in some plants to create a screen for them. He also reached out to Mrs. Shigo and will continue to make efforts to connect with her.

He had not gotten a chance to speak to the Police Chief about the events that transpired last night, but they have installed cameras on Friday.

Selectman Robertson referred to PSNH seeing it fundamentally important to have these lights on at all times and asked if there were other security options considered. Mr. Vattes said they brainstormed with the Town Administrator, Fire Chief and Police Chief on different things they might consider. One was to enhance the fence; they have done some pricing on that and a possible approach. They also talked about some of the materials stored close to the fence line, and to move them closer toward the interior so that intruders could not use them to jump the fence or such. Putting a higher fence around the entire substation was too costly. They did have additional lighting on a few months ago, which was reduced to just three that are attached to the control house and they feel they have made some changes to reduce the lighting, but would feel comfortable to reduce the lighting any further.

Mrs. Boyson said the lighting is better, but it is still very illuminated at night-time. She said they moved to Deerfield because it is dark at night and they like to see the beautiful stars and tree lines.

Kathy Shigo said there has got to be a better way and asked if they could be shined in a different direction possibly. Mr. Vattes said they could not come up with an alternative that would address the concerns, but they will be happy to continue those discussions.

Mrs. Shigo asked if there is a security guard there 24/7, as she thinks maybe they need that more than the lights.

Mrs. Boyson referred to the additional patrols from the Police Department and asked if PSNH incur some of the police patrol costs. She said there still is crime, so she feels the lights didn't really help. She believes that it is bringing more crime to a very safe place. Mr. Plant said the point of illumination is for the security cameras and the police patrols.

Chief Greeley said they spoke to PSNH and they haven't met again since that last meeting, but they mentioned lighting the fences. The department has stepped up patrols down there and they were able to catch two in the act of stealing on the premises last night. He said they are still brainstorming and trying to do what they can.

Selectman Barry feels that razor wire and motion sensor lights would be reasonable. Dan Cole said they currently have motion sensor lights there and are looking into the razor wire options. He pointed out that they are shutting those lights off when they are finished with construction. He said there is no way to avoid the cables on the ground right now, but when the construction is done they will be incased in concrete all around the substation.

He said they have other concerns that some do not think about; if people or workers come in the morning and there is not enough light and a contractor falls down they are liable. He invited anyone to come over to the site to see him as he is there all the time. He confirmed that they are listening and doing the best they can.

Mr. Cole is very concerned not just about the theft, but if they come in to steal the wrong things and die in the process (ex: electrocution) is another reason they have to have the lighting on.

Chairman Reagan said the Board trusts that they will continue their efforts to make these folks happy. Mr. Vattes said they will continue to try to address their concerns. He confirmed that the lights will be off by Thanksgiving.

Vice Chairman O'Neal asked if there was much theft there before construction and Mr. Cole said he spoke with a security officer for PSNH and he did not recall issues there. He said the issue is copper they are trying to steal, so they are trying to remove that out of the equation as soon as possible.

Police Chief Michael Greeley & Road Agent Alex Cote

Traffic Study:

Road Agent, Alex Cote said they discussed speed sensor options earlier and they purchased a traffic/speed device and put it up where it needed to be monitored most. He said the data that Corporal Hardy provided shows the target speed which happens to be the speed he is trying to reduce by five miles. The police only enforce ten miles an hour and over; he is trying to reduce that by five miles an hour. He said Route-107 was constructed for 35 mile an hour traffic for several reasons; the turns, the curves and the roadside population. He said once the study is complete he thinks they may find that the information is showing that the paved roads should be reduced by five miles an hour and the dirt roads need to be reduced to 25 miles an hour.

Chief Greeley referred to the part of enforcing and said the law states they can enforce anywhere from one mile an hour and up. Unfortunately, if he walks in there with a person who was 5-6 miles over the speed limit then the credibility of the officer goes down the tubes for that judge.

MOTION: Selectman Barry moved to lower the speed limit on paved roads by 5-miles an hour and lower the dirt road to 25-miles an hour.

SECONDED: Selectman Robertson seconded the Motion.

Vice Chairman O'Neal asked how Reservation Road was working out since the runway was put in last year. Chief Greeley said 8.1% of the vehicles are traveling above those 10 miles per hour on that road; so they are going over 41 miles an hour on a road posted at 30 miles an hour (it is partially a dirt road).

VOTE: Chairman Reagan called for the Vote. It was a Unanimous Vote in Favor.

Chairman Reagan asked if they could give hourly counts at the Transfer Station and Veasey Park this year.

Regular Business:

1. Review of Outstanding Minutes:

MOTION: Selectman Robertson made a Motion to approve the Minutes of March 14, 2011.

SECONDED: Selectman Perron seconded the Motion. VOTE: It was a 4/1 Vote in Favor (1-Abstention).

2. Vouchers/ Payroll Manifest/ Accounts Payable Manifest:

MOTION: Vice Chairman O'Neal moved to approve the Payroll Manifest in the amount of \$48,504.38. SECONDED: Selectman Robertson seconded the Motion. VOTE: It was a Vote in Favor.

MOTION: Vice Chairman O'Neal moved to approve the Accounts Payable Manifest total of \$37,021.53. SECONDED: Selectman Robertson seconded the Motion. VOTE: It was a Vote in Favor.

3. Signatures Requiring a Vote:

- A. Notice of letter to Jim Spillane:

MOTION: Vice Chairman O'Neal made a Motion to approve the response letter to Jim Spillane.

SECONDED: Selectman Robertson seconded the Motion. VOTE: It was a Vote in Favor.

- B. Notice of Warrant Article-3/ \$90,000.00 to the Capital Reserve Fund (Fire Engine)

MOTION: Vice Chairman O'Neal made a Motion to approve the transfer to the Capital Reserve.

SECONDED: Selectman Robertson seconded the Motion. VOTE: It was a Vote in Favor.

- C. Current Use Application – Albert & Kathleen Shigo/ Map 408, Lot 052

MOTION: Vice Chairman O'Neal moved to place the two acres in the current use application.

SECONDED: Selectman Robertson seconded the Motion. VOTE: It was a Vote in Favor.

- D. Permanent Application for Property Tax Credit/ Exemption/ Veteran's Tax Credit/ Bruce & Cheryl Moro/ Map 413, Lot 036

MOTION: Vice Chairman O'Neal moved to approve the elderly exemption for Moro.

SECONDED: Selectman Robertson seconded the Motion. VOTE: It was a Vote in Favor.

- E. MS-2 Report of Appropriations Actually Voted

MOTION: Vice Chairman O'Neal moved the MS-2 as written.

SECONDED: Selectman Robertson seconded the Motion. VOTE: It was a Vote in Favor.

- A. Signatures Not Requiring a Vote

- 1) Notice of Resignation from Norm LaBlonde, effective March 29th, as he has received a better offer. Selectman Barry said that the Administrator would like to pursue the second choice applicant to see if she is still interested, before starting the whole hiring process again.
- 2) Notice that 1.6 miles of Route-43 & Route-107 (just north of Old Center Road South/ to the split) is falling apart.
- 3) Richard Pelletier has been recertified by the Waste Management Division as a Solid Waste Facility Operator.
- 4) Land Field Gas Monitoring; Hazardous Waste setup fee will be \$1,500.00.

Vice Chairman O'Neal wanted to see if they could get some comparisons, as one was the original company they were looking at and this was a comparison price; it appears they all do half a day, so he feels they should probably move forward with Clean Harbors.

Selectman Robertson said the word must go out that it is a half day or when the cash runs out. Vice Chairman O'Neal suggested the Town Administrator start processing this.

5) Pending Litigation

Sharon Wells: Notice of Summons in Superior Court (has been referred to counsel).

Harriet Cady: Notice of Hearing on April 8th at 9:00am in Courtroom-2, in Brentwood.

A. Review of Correspondence: None

B. Unfinished Business: None

C. Town Administrator's Report: None

D. Other Business:

Selectman Perron said the Farmer's Market would like to post their banner again on the corner of the road and to get the Farmer's Market on the town's website.

MOTION: Selectman **Barry moved to approve the Farmer's Market banner and the link on the Town's website.** **SECONDED:** Vice Chairman O'Neal seconded the Motion. **VOTE: It was a Vote in Favor.**

E. New Business:

Lucy Meyer contacted Selectman Robertson about her neighbors placing buildings on (or very close) to her property line within the setback, which is affecting the potential sale of her property. He thinks that the Building Inspector and the Code Enforcement Officer may have already gone to visit her and make some determination on this.

Selectman Barry said he had Rick Pelletier go down to look at it and at that time he was satisfied with everything, but he does not know if things have changed or not. The Board will have the Building Inspector reevaluate it.

Citizen's Comments:

Harriet Cady referred to the Energy Committee's report tonight and she didn't realize they were an official committee. She claims that they have never posted a meeting and asked where they hold their meetings.

She referred to the Fire Department and thanked them for all their hard work to save her son's home.

Adjourned:

6:42 pm

MOTION: Selectman Barry made a Motion to adjourn. **SECONDED:** Vice Chairman O'Neal seconded the Motion.

VOTE: Chairman Reagan called for the Vote. **It was a Vote in Favor; the March 21, 2011 meeting is adjourned.**

*The Minutes were Recorded, Transcribed and Respectfully Submitted by Nese Farrell, Recording Secretary.
Pending Approval by the Board of Selectmen*