

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
October 11, 2011  
MINUTES**

**Call to Order**

5:30pm: Chairman, John Reagan called the meeting to order.

**Pledge of Allegiance to the Flag**

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

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

**Also Present:** Leslie A. Boswak, Town Administrator, Katie Libby, On Call Recording Secretary

**Regular Business**

**- Outstanding Minutes – September 26<sup>th</sup> and October 3<sup>rd</sup> 2011**

**Motion to approve the minutes as written** – Selectman Barry

**Second** – Selectman Robertson

No Discussion – All in Favor – Motion Carries

**- Accounts Payable - \$532,669.75, of which \$500,000 will be transferred to the school**

**Motion** – Vice Chairman O'Neal moved to approve the Accounts Payable as stated

**Seconded** – Selectman Barry

No Discussion – All in Favor – Motion Carries

**For Signatures**

**- Notice of Intent to Cut Wood or Timber – Rollins Family Trust Property on Peterson Road**

No Motion Required – Authorized with Signatures from the Board

**- Warrant to Collect Timber Tax Levy of \$2,363.65 Sharon Williams Trustee**

**Motion** – Vice Chairman O'Neal

**Seconded** - Selectman Robertson

No Discussion – All in Favor – Motion Carries

**- Letter of Resignation – The Deerfield Energy Committee**

**Motion** – Vice Chairman O'Neal moved to accept the registration of Wes Golomb, and to verify with the other member of the committee their intentions.

**Seconded** – Selectman Robertson

**Discussion** – Selectman O'Neal noted that the email and letter received was on behalf of the Deerfield Energy Committee, but was not signed by all members, would like to confirm/verify with the other members their wish to resign.

All in Favor – Motion Carries

**- Letter from the Coffee House requesting that Town Hall Fees be waived for their Event**

**Motion** – Selectman Barry

**Second** – Vice Chairman O'Neal

**Discussion** – The Board noted that past coffee houses have brought in more than \$1,000 in profits, which benefit local causes, Selectman Robertson noted that on some occasions the profits have been used to fund upkeep of the Town Hall.

All in Favor – Motion Carries

**- Letter from the American Legion Women's Auxiliary requesting that Town Hall Fees be waived for their Dec 10<sup>th</sup> Cookie Walk**

**Motion** – Vice Chairman O'Neal

**Second** – Selectman Robertson

No Discussion – All in Favor – Motion Carries

**Town Administrator's Report – None**

### **Other Business**

Chairman Reagan acknowledged receipt of the Northern Pass Advisory Committee Findings & Report, received by the Board on October 11<sup>th</sup>, 2011. Copies have been distributed to Board members for review.

### **Nonpublic Session:**

**5:35 pm** Vice Chairman O’Neal made a motion to enter a Nonpublic Session under 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. Seconded by Selectman Barry.

**Roll Call Vote:** Perron-Yes; Barry-Yes; Robertson-Yes; O’Neal-Yes; Reagan-Yes

**5:40 pm** The Nonpublic Session ended.

### **No Action/No Decisions:**

It was noted that no action was taken or decisions made within the Nonpublic Session.

### **Minutes Sealed:**

**MOTION:** Selectman Barry made a motion to seal the Minutes of the Nonpublic Session as divulgence of information contained in those minutes would likely adversely affect the reputation of a person or persons not a member of this Board. Seconded by Selectman Robertson.

**Roll Call Vote:** Perron-Yes; Barry-Yes; Robertson-Yes; O’Neal-Yes; Reagan-Yes

**Motion-** Vice Chairman O’Neal moved that the board place Corporal Hardy on Unpaid Administrative Leave effective October 12, 2011 at 12:01am

**Second** – Selectman Barry

No Discussion – All in Favor – Motion Carries

### **Citizens Comments**

Harriet Cady commented that she had been reviewing the most recent audit report and that this is the third year where it makes similar comments, asking for certain things that the Board of Selectmen has not put policy in place for. Selectman Barry asked which ones she is referring to. Ms. Cady did not have the material with her, but will get specifics to the Board so that they can address.

### **Meeting Recessed pending the arrival of Highway Agent Alex Cote to address New Business**

5:45pm

### **Reconvened**

6:05pm

### **New Business**

#### **Carol & Dennis Kuczewski Re: Drainage on Pleasant Hill Road**

The Board is in receipt of a complaint from Mr. & Mrs. Kuczewski regarding drainage problems and resultant damage to their property on Pleasant Hill Road. Chairman Reagan opened discussion by asking Ms. Kuczewski what they would like to see done to remedy the damage done to their property? Mrs. Kuczewski would like to see the Highway Department remove the culvert, and use a ditch running parallel to the road, so that the water does not drain onto her property. She does not believe that there was ever an Easement allowing the installation of the Culvert and the water has caused damage to her property including overturning two trees, and issues with it running into a pool.

Highway Agent Alex Cote presented property maps dating back to the subdivision of the Kuczewski’s property in November 1987 that show the culvert in question as existing as it sits on Lot 2. These plans look to have been approved by the Planning Board in 1988 and show a filing date of 1989.

Selectman Barry asked when the Kuczewski’s began to notice the water on the property being a problem, as it would appear that the culvert had been functioning for at least 20 years. Mrs. Kuczewski responded that last year the problems began, knocking down two trees and affecting a stone wall on the property. She provided photos documenting the damage to the board. Mr. Cote commented that there seems to be someone or something causing blockage to the culvert and ditches in that area. Nothing, other than heavy ground saturating rains, has changed in the past year and this is not a seasonal water flow, it runs all year long.

Mrs. Kuczewski’s suggested remedy would be to install a new ditch, running parallel to the road, turning the corner of their property. Mr. Cote estimated that the proposed solution would require roughly 400 ft of new ditching – work that would take

approximately a week to seven working days complete, assuming no ledge interfered with the job.

Mr. & Mrs. Marble, owners of a neighboring property affected by the same drainage were present. Mr. Marble explained that the culvert in his driveway – 12 inches in diameter – was overwhelmed beginning five years ago when the town's culvert backed up. He has been forced to use his own funds to install and later replace the culvert in his driveway. He expressed concern that if, at the Kuczewski's request, additional water was routed toward his property that he would be looking at additional costs. Mr. Cote confirmed that, should a new culvert be necessary, that it should easily fall within the 50ft easement and would be a cost covered by the town.

Selectman Robertson referenced the Town Engineers recommendation was to install the stone check dams, and to monitor the capacity of the culvert on the Marble's property. Mr. Cote added that there are currently no funds in the budget to take on the work suggested by Mrs. Kuczewski. Selectman Barry reiterated that he would suggest monitoring the flow of the water through the fall and next Spring and if it remains a problem, even after the new check dams have been put to work, then the Board can re-visit and budget for a solution in 2012. Reminded the room that no one is allowed to redirect, or in any way change the way the town's drainage ditches are working. If there is a problem they should first contact the Highway Agent. Mr. Marble clarified that if, come spring, the culvert in his driveway is not able to handle more than half of the water flowing that the town will handle? Mr. Cote confirmed.

**TOPIC WAS TABLED UNTIL SPRING TO ALLOW THE HWY DEPT TIME TO MONITOR THE EFFECTIVENESS OF THE NEWLY INSTALLED CHECK DAMS AND THE ABILITY OF THE MARBLE'S CULVERT TO HANDLE THE WATER FLOWING TO IT**

**Meeting Adjourned**

**Motion** – Selectman Barry

**Second** – Selectman Robertson

All in Favor - The October 11, 2011 meeting is adjourned at 6:50pm

**Next Meeting Monday, October 17<sup>th</sup> at 5:30 p.m.**

*The Minutes were Transcribed and Respectfully Submitted by Katherine A. Libby, Recording Secretary.  
Pending Approval by the Board of Selectmen*