

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
March 17, 2014
MINUTES**

Call to Order

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

Present: Steve Barry, Chairman; Rebecca Hutchinson, Richard Pitman and R. Andrew Robertson and Jeff Shute

Also Present: Michael Wright, Town Administrator; Jan Foisy, Finance Director

Pledge of Allegiance to the Flag

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

Chairman Barry opened the meeting by welcoming new Board Member Jeff Shute. The Board presented outgoing Selectman Alan O'Neal with his name plaque and thanked him for his service.

Organizational Meeting for 2014

Nomination of Chairman/Vice Chairman

Motion – Selectman Robertson nominates Selectman Barry for Select Board Chairman

Second – Selectman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Motion – Selectman Robertson nominates Selectman Pitman for Select Board Vice Chairman

Second – Selectwoman Hutchinson

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Nomination of Committee/Commission/Board Representatives

Motion – Selectman Robertson moves to appoint Selectman Pitman as Planning Board Representative with Selectwoman Hutchinson as an alternate

Second – Selectwoman Hutchinson

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Motion – Selectwoman Hutchinson moves to appoint Selectman Robertson as Municipal Budget Committee Representative with Chairman Barry as an alternate

Second – Selectman Shute

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Motion – Vice Chairman Pitman moves to appoint Selectman Robertson as Heritage Commission Representative

Second – Selectwoman Hutchinson

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Motion – Selectman Robertson moves to appoint Chairman Barry as the School Board Representative

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Motion – Selectman Robertson moves to appoint Selectman Shute as the Parks & Rec Commission Representative

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

5:36 Non-Public Session(s)

Motion – Selectman Robertson moves to enter into a Non Public Session under RSA 91-A:3, II B and/or C

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

6:04 Chairman Barry left the Non-Public meeting to asked Mark Young if he would like a Non-Public or public session for the discussion of his salary.

Mark Young stated in public would be fine.

6:05 Reconvene

Chairman Barry notes for the record that no action was taken during the Non Public Session.

Mark Young – Highway Agent

Chairman Barry spoke that the Board of Selectmen would like to offer a salary of \$47,000/year to Mark Young for the position of Road Agent. This amount, being lower than that of the outgoing Road Agent, was based on Mr. Young's experience. Chairman Barry referenced a Culvert Training and other certifications that would need to be completed. Selectman Robertson spoke that the starting salary for the prior Road Agent and the salaries of Road Agents in surrounding Towns were determining factors in arriving at that number and Selectwoman Hutchinson emphasized that this offer was a starting point offering room for growth. Chairman Barry elaborated on the job description for the Road Agent; the position will be in charge of the Highway Department planning, management and budget as well as oversight of the three Department employees. He added that the Town Administrator will serve as a resource to M. Young. M. Wright pointed out that as a result of the previous week's election the Town will be working under a Default Budget for 2013, meaning there is currently a \$22,000 deficit within the Highway Department that will need to be addressed.

Chairman Barry suggested that the Board might offer Mr. Young the assistance of a part time employee to ease the transition. He spoke that perhaps the prior Road Agent may want to stay on for a period of time to provide Mr. Young with a resource until he is familiar with the role. The suggestion was not well received by those in attendance.

Vice Chairman Pitman voiced concerns that Mr. Young was misled by the Town Report, he asked Mr. Young what his pay expectations had been for the role and Mr. Young answered that he had assumed he would take over at the rate of the outgoing Road Agent. Mr. Young's research has shown that this would be typical protocol. Selectwoman Hutchinson spoke that while she felt the slightly lower offer of \$47,000 was within range and reasonable, she would support a salary in the amount of \$55,000 for Mr. Young. She added that she wants to see him succeed and feels that this conversation is one that should have happened prior to the election. She then suggested a motion to offer a salary of \$50,000 as a compromise.

On another matter, Chairman Barry spoke that he feels there would be a conflict of interest for the Town Highway Department to continue with the rental of Mr. Young's equipment. While the recommendation to rent the equipment could be put before the Town Administrator and/or Board of Selectmen for approval, he is uncomfortable with having it be done on an automatic basis. Selectwoman Hutchinson spoke to the need to set a policy addressing that issue for any Road Agent and his/her equipment.

M. Wright asked Mr. Young if there was anything further he might ask the Board to do in order to make his transition to Road Agent a smooth one. Mr. Young responded that there was a lot to think about and that he would like to take the night to think about the role, compensation and transition issues. He asked the Board, if he started at \$47,000 how long it might take to get up to the pay scale he had expected? He added that he had attended a seminar that day to renew an applicable license. Selectman Robertson suggested that the normal review period was 90 days, and M. Wright noted that the prior Road Agent's salary increased by \$1,200 - \$2,000/year based on training and job performance. Mr. Young's response was that he would need to sleep on it and would see the Town Clerk to be sworn in the morning if he is comfortable proceeding.

Motion – Selectwoman Hutchinson moves to raise the Road Agent salary offer to \$50,000

Second – Vice Chairman Pitman

Discussion – Vice Chairman Pitman asked whether that change would eliminate Mr. Young's needing to consider the position overnight. Selectwoman Hutchinson acknowledged that the Board is in a difficult position, but that she has been encouraged with the conversation thus far that Mr. Young is eager to eliminate the gap in Administrative experience. Mr. Young will let the Town Administrator know of his decision in the morning.

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Regular Business

-Minutes March 10, 2014

Motion – Selectman Robertson moves to approve the minutes

Second – Selectman Pitman

Discussion – Selectwoman Hutchinson asked that, under Citizen's Comments, the spelling of Ms. Cady's name be corrected.

Vote to approve as amended – Yea 4, Nay 0, Abstained 1 – Motion Carries

-Payroll Manifest - \$47,021.68 (net \$35,588.41)

Motion – Selectman Robertson moves to approve

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

-Accounts Payable - \$307,141.27 (with \$250,000 transferred to the school)

Motion – Selectman Robertson moves to approve

Second – Vice Chairman Pitman

Discussion – Vice Chairman Pitman noted that the chipper payment on the Accounts Payable Manifest reads “final” and asked for confirmation that this was the last payment? M. Wright confirmed that the Town now owns the equipment.

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

-Judy Marshall – Letter Resigning as Assessing Clerk as late as May 21, 2014

Motion – Vice Chairman Pitman moves to accept the resignation with an effective date of April 15, 2014

Second – Selectman Shute

Discussion – Chairman Barry asked that a letter of thanks be sent to Ms. Marshall for her services

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

-Appointment of Judith Marshall to Deputy Town Treasurer

Motion – Selectman Robertson moves to appoint Ms. Marshall to the vacant position

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

-Notice of Computer Adjustment – Timothy & Karen Aucella, Gulf Rd – Assessment reduced from \$104,800 > \$44,800

Motion – Selectman Robertson moves to approve the adjustment as recommended

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

-Emergency Education Consultant’s Contract – Rescue Squad

Motion – Selectwoman Hutchinson moves to approve the contract and authorize the Chair’s signature

Second – Selectman Robertson

Discussion – M. Wright informed the Board that this agreement will be for onsite training of the Rescue Squad at a cost of \$3,200/year, as opposed to sending individuals to Concord for training.

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

-Application for Current Use – Chris & Wendy Nelson, 2 Sunset Lane, 3.923 acres

Motion – Selectman Robertson moves to approve

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

-Application for Current Use – Diana M. Stevens Revocable Trust, North Road, 1.59 acres

Motion – Selectman Robertson moves to approve

Second – Selectwoman Hutchinson

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Selectwoman Hutchinson asked if the Board might move the Citizen’s Comments portion of the meeting to now as there were a number of Citizen’s present to offer comments. Prior to doing so, Chairman Barry reminded the Board that there will be a recount on Town Warrant Article 9 the following day at 6:00 and asked any available Board Members to be in attendance.

Town Administrator’s Report

- Catalina Celentano of PSNH has stopped by the Office to make introductions and discuss the project currently underway on the transmission lines. They have also discussed conducting an energy audit for the Town to identify energy cost savings opportunities.
- The Concord Monitor has reached out regarding an article they wish to do on the Warrant Article 9 recount.
- The NH Division of Safety is collecting information, they wish to know if any Towns have voted to allow or disallow

the sale of Permissible Fireworks within the Town. M. Wright will check with Chief Tibbetts before responding.

- The Southern NH Planning Commission has requested a high resolution file of the Town seal so that they might use it on documents. Selectman Robertson spoke that the Board has historically limited outside use of the Seal and Chairman Barry confirmed that authorization to do so is typically granted by a vote of the Board. M. Wright will look further into the intended use before requesting a formal vote of the Board.
- The County Attorney's Office was approached regarding the allowance of a month-to-month contract for Prosecution services. The Office Administrator has indicated that both Nottingham and Candia have pulled out of the agreement and, as a result, M. Wright believes it is the intent of the County to disengage the contract with Deerfield, there is a possibility that the contract will terminate March 31, 2014. If so, the Town would need to hire an ad hoc Prosecutor until a more permanent solution became available.
- The safe at the Town Hall has been opened. There was no treasure inside, but they did find several old Town records on microfiche. The combination to the safe has now been recorded.
- The individual on the tax payment plan has submitted this month's payment according to schedule.
- The primary waste container at the Transfer Station is in need of replacement. The current container is falling apart. The container is currently rented for \$600/month, by pulling it out and replacing with a new container the rate will increase to \$650/month. Rates for removal of glass and non recyclable plastics will also increase from \$156 to \$175. It is the recommendation of Rick Pelletier that the Transfer Station move forward with the new container and rates, what is the Board's pleasure?

Motion – Selectman Robertson moves to replace the main garbage receptacle at the Transfer Station as recommended

Second – Vice Chairman Pitman

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

- The Town has received a letter from William Abbott, the VP of Policy and Land Management for the Society for the Protection of NH Forests. There will be a hearing of the Senate Energy and Natural Resources Commission on Wednesday at 9:45a on House Bill 569, regarding the burying of utilities. Mr. Abbott asks citizens to submit input to their State Representatives and to attend the hearing. M. Wright will put a notice on the Town's website.
- The Right to Know change in requirements from 24 hour notice to 72 hours did not pass; additionally the Legislature narrowly rejected the change to the State's Pension program.
- Joe Manzi has submitted application for a grant from WalMart for \$1,000 in equipment, this is a non-matching grant.
- PSSG has provided a list of suggested questions for the Police Chief Interviews along with a list of questions already asked of candidates. Interviews of the 4 remaining candidates are scheduled for March 24th beginning at 5:30p.
- The Southern NH Planning Commission is reviewing issues related to a Primary Freight Network in the State, Senator Ayotte has provided comments on the matter and M. Wright will review.
- Officer Wilson has requested permission to have Cruiser State and Safety inspections done at M&M Ford at a rate of \$30/per vehicle. Selectman Robertson voiced his opinion that for a \$10 cost savings he would prefer to keep the business in Deerfield.
- The Post Master is asking the Town identify the routes where political fliers were not received. Chairman Barry asked that the Board speak with the Post Master in person to discuss the issue.

Unfinished Business None

Other Business None

New Business

2014 Town Election Budget Review

The Town Administrator's Office is reviewing the Default Budget and identifying the areas with the greatest shortfall. M. Wright and J. Foisy will make a detailed presentation to the Board at the next full meeting.

2014 Select Board Goals – Discussion postponed

2014 Town Department Goals – Discussion postponed

2014 Town Goals – Discussion postponed

Citizens Comments

Jack Hutchinson spoke that he found it striking at the Town election that the School has so much greater voter support than the Town. The Board had the ability to suspend its meeting tonight and hear the comments of the Citizens earlier, and he felt they should have. Regarding the Road Agent salary, Mr. Hutchinson does not feel that the discussion for an elected

person should be the same as that of a hired position. The most important decision he believes this Board will be facing is the hiring of the new Police Chief. Mr. Hutchinson spoke that this is a very important Office and would ask that the Board consider opening the decision up to include more community input. He feels it is crucial to include the current Police Officers.

Harriet Cady spoke that she emailed the previous Town Administrator regarding shortcomings of the Town's Policy Book and has seen nothing done to address the issue. She was concerned that in the 11 years Alex Cote served no policy was put in place to guide these situations. She spoke that the only other time the Road Agent starting salary was reduced from that of the outgoing Agent was when Mr. Twombly took over from Mr. Rollins, she went on to state that Mr. Palmer and Mr. Cote both received the outgoing salary to start.

John Dubiansky spoke that he feels it is a mistake to have people making decisions on the hiring of a new Police Chief who are not personally invested in the Town. He would ask that the Board follow Jack's advice and involve the Community in the final decision. Mr. Hughes went on to note that, at the Deliberative Session, Selectman Barry made an impassioned plea to bring back the Town Meeting because the Board was lacking community feedback.

John Winslow spoke regarding the need to cut the Highway Department's budget. He noted that in the Town Report there were plans to start paving on South Road, he has driven the road and feels there are others in Town more needing of paving. He also feels that the resurfacing of Pleasant Hill that was budgeted for won't fully address the needs of that road and suggested putting the money allocated for South Road toward proper work on Pleasant Hill. Finally, he expressed his concern with the interpretation of the traffic counts and feels the Board really needs to take a hard look at how road work is progressing.

Lisa Wolford spoke to support the comments of Mr. Hutchinson. She feels that the PSSG report gives the opportunity for the Board to think about how it conducts its meetings. She finds no definition of "Citizen's Comments" and finds the format of the Board to provide no response to make no sense. Ms. Wolford suggested the Board put the meeting protocol online. She expressed concern that the PSSG report has never been openly discussed.

David O'Neal spoke that he had received an email from the prior Town Administrator asking for participating of the Fair Association in the hiring of the Police Chief, he was disappointed when the opportunity for Town involvement fell away. Regarding the inspection of Police vehicles, he spoke that the \$40 is a fee charged to a single car, but that if the Town wants to have multiple vehicles inspected he is sure O'Neal can provide a better price.

Alan O'Neal echoed the comments of Mr. Hutchinson and spoke that he finds it disheartening to hear the scuttle surrounding the Highway Agent. He feels that generally in Town there is a struggle to get people onto the ballot and that this type of activity makes that task even harder.

Carl Oehler spoke that, as 14 year veteran of the Highway Department this will be his 4th Road Agent. He feels Mr. Young should be paid the expected amount. Regarding Equipment use and rentals, Mr. Oehler spoke that Mr. Young has always been more than fair and generous to the Town and that he wouldn't have the amount of support behind him if people didn't have faith in his ability.

Russ Simons echoed Mr. Oehler confirming his faith in Mark Young's experience and confidence in his ability to lead the Department.

Ben Wyman of Nottingham Road feels that all salary expectations should be fully described to candidates up front and well ahead of the elections. Further, he pointed out that when applying for a job most descriptions call for a college education or work equivalent, he would expect the Board to take work experience as an educational equivalent. Mr. Wyman voiced concerns with the width of many of the roads and ditches in town. He feels that the Board is putting a lot of faith in education when many of the road issues come down to common sense.

Don McHugh echoed the previous comments and spoke that he believes the precedent has been that a newly elected Road Agent assumes the salary where the outgoing left off.

Mr. Folks spoke that the distinctive difference here is that this is an elected position' the voters of the Town have spoken on Mr. Young's qualifications. He would also ask that he Board make sure feedback is received on the hiring of the new Police Chief.

Motion – Vice Chairman Pitman moves to pay Mark Young the exact salary that Alex Cote received

Second – Selectman Robertson

Discussion – Vice Chairman Pitman spoke that Mr. Young was the highest vote getter of any contested race on the ballot, he feels the Town has spoke and that the Board needs to respect that decision.

Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries

Carl Oehler thanked the Board for changing its mind.

Harriet Cady spoke that she found two or three instances in the Town Report where she cannot determine what is being paid, she feels adequate proofing was not done and wants to see it corrected before it is accepted by vote of the Board.

Dee Dee Putnam of Ridge Road spoke that she listens to the Board's meetings on Channel 24 and cannot hear the speakers during Citizen's Comments. She would ask that the Board have people making comment go to the microphone. Chairman Barry responded that they hope the acoustic shortcomings will be addressed when they move to the new meeting room.

James Tomlinson of Harvey Road spoke that he too feels it is important that the Board get input for the hiring of the Chief of Police from the community.

Laura Hughes spoke of the importance that the new Chief get along with the personalities in the other Departments, otherwise the Town will have a friction as she has seen happen in other Towns.

Chairman Barry asked that Mark Young come forward to be sworn in as Road Agent, Mr. Young did so and the oath was read.

Adjournment 7:30p

Motion: Vice Chairman Pitman moves to adjourn the meeting of March 17th

Second: Selectman Shute

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Next Meeting Monday, March 24th @ 5:30pm

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