

**Town of Deerfield  
BOARD OF SELECTMEN  
October 19, 2015  
MINUTES – Amended**

**Call to Order**

5:30p - Chairman Stephen Barry called the meeting to order.

**Present:** Stephen Barry, Chairman; Richard Pitman, Vice Chairman; R. Andrew Robertson and Jeff Shute Selectmen

**Excused:** Rebecca Hutchinson, Selectwoman

**Also Present:** Jan Foisy, Town Administrator

**Pledge of Allegiance to the Flag**

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

**Public Hearing - RSA 31:95-b Acceptance of \$18,196.25 in donations to the Town of Deerfield 250th Anniversary Committee**

Chairman Barry recessed the Select Board Meeting to open a Public Hearing under RSA 31:95-b for the acceptance of \$18,196.25 in donations to the Town of Deerfield 250th Anniversary Committee. A letter from the Committee's chair, Jack Hutchinson, was read thanking, among others, the Deerfield Fair Association for its ongoing support of the fundraising efforts and the volunteers who staffed the Committee's sales tent during the Fair. Ms. Harriet Cady asked why the Town was moving forward with the acceptance of funds when the Warrant Article was voted down and, as a result, there is no line item in the budget to account for the funds. She asked whether the acceptance of the monies will raise the default budget. Chairman Barry responded that no, the money will not show in the budget, but will be an equal in and out transaction.

J. Foisy spoke that, per the auditor's recommendations, the Town has set up a separate fund, similar to the way FEMA monies were handled years ago. The money will go in and out, not passing through the Town's budget. She invited Ms. Cady to visit the Town Office for a copy of the auditor's opinion.

Ms. Fran Menard spoke on behalf of the Committee that the group understood that any amount raised over \$10,000 would require a Public Hearing and that it is her hope the Town would accept the donation.

With no further comment the Public Hearing was closed.

**Reconvene**

**Motion:** Vice Chairman Pitman moves to accept the donation of \$18,196.25

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Scheduled Appointments**

**Shelly Tetrault - Approval for naming private road - Levi Hill Road**

Ms. Tetrault spoke that she had been advised by the Planning Board that she needed to seek the Select Board's approval to name the private road off Griffin Rd Levi Hill Rd. The Board had no objections to the name.

**Motion:** Selectman Robertson moves to approve the naming of Levi Hill Rd

**Second:** Vice Chairman Pitman

**Discussion:** Vice Chairman Pitman asked that the road sign be made red to eliminate any confusion as to whether it was a Town maintained road.

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Shelly Tetrault & Jim Deely - Deerfield School Board re: use of the Parks and Recreation's van for DCS Magnet groups**

Selectman Barry reported that the Parks & Recreation Commission had recommended unanimously not to allow for the shared use of the van. A letter from Parks & Recreation Director Joe Manzi was read that described the Commission's reasoning, namely its interest in protecting the Department's investment and ensuring that it would be available for use at all times by the Recreation Programs. The Board agreed to uphold the Commission's recommendation.

**2016 Budget Reviews**

**Cemetery - \$21,452 (an increase of \$5,000)**

The Committee Chair spoke that the increase was for tree care and other overdue upkeep. The Board had no objections.

**Heritage Commission - \$850 (an increase of \$250)**

**Advertising & Regional Associations - \$3,732**

J. Foisy reported that the figure represents dues charged to the Town and could go up.

**Supervisors of the Checklist - \$6,151 (an increase of \$2,012)**

The increase is directly tied to the number of elections to be held in 2016.

**Zoning Board of Adjustments - \$3,891 (an increase of \$1,232)**

Zoning Board Chair Josh Freed spoke that the increase is attributable to additional hours in the Part Time Employee line, a pay rate increase in the same line, and an increase in printing costs. Chairman Barry asked why the Part Time Employee line had only spent \$238 year to date. The Chair responded that this may have been an error, overall the budget plans for 78 hours for the year. A slight uptick in the amount of variances sought is anticipated for 2016.

**Planning Board - \$37,975 (an increase of \$2,565)**

Planning Board Chair Fred McGarry reported that the major increase was for the reorganization of the Board's files with an estimated 120 hours of work. He updated that \$300 had been budgeted under the Equipment line for a stackable file that was able to be purchased this year and asked that the Board reduce budget line .740 to \$1. Vice Chairman Pitman asked how the work load has been for the Board. Mr. McGarry

responded that they are seeing an increase in subdivision activity with an eight lot subdivision underway with a Mr. Pelletier and another seven lot piece off of Mt. Delight in the pipeline.

**Building Inspector - \$51,496 (an increase of \$2,174)**

Mr. Rick Pelletier reported that the increase was due to the new employee pay rate. Chairman Barry asked how many miles are on the Inspector's truck, Mr. Pelletier responded 19,004.

**Transfer Station - \$375,426 (an increase of \$29,303)**

Mr. Rick Pelletier reported that the increase is due to the planned paving at the Transfer Station with a cost of \$25,000. He is also looking to add a new tire container at an estimated cost of \$7,000. The equipment repairs line is overspent this year due to a breakdown of the large compactor. Vice Chairman Pitman asked roughly how many tires are received in a year, Mr. Pelletier answered approximately 400. The cost to dispose of the tires is \$2.25/each and a charge of \$3/per tire is collected at the time of drop off. Selectman Shute asked whether the paving might be better presented to voters as a Warrant Article. Selectman Robertson will get a feel from the MBC as to its preference at its next meeting.

**Highway Department - \$820,154 (an increase of \$78,794)**

Road Agent Mark Young reported that the increase is largely due to Winter Maintenance costs. The Department will be presenting a Warrant Article to create an Expendable Trust Fund for the Winter Overages that routinely occur. M. Young spoke that the overages eat into the Road Reconstruction lines every year, a practice that he would like to get away from. Selectman Robertson suggested that the language of the Warrant Article be broadened so as not to limit it to repairs related to "Winter Weather". He would like to see it be able to be used for flood damage or other natural disasters. J. Foisy will look into adjusting the language. The Warrant Article is seeking \$75,000 initially. Chairman Barry suggested capping the fund at \$100,000.

M. Young updated that the first spray of knotweed was completed. Selectman Robertson asked what the 2016 plans for road reconstruction are, M. Young answered that they play to pave Griffin Road. Selectman Shute asked about the Department's Part Time Employees, M. Young answered that currently there are none, but they would like to add one On Call person for the winter.

The Department will also be putting forward a Warrant Article in the amount of \$243,000 for road reconstruction between 57 and 100 South Road. The work will be offset by \$30,000 in impact fees.

**Winter Contracts**

The Road Agent presented Winter Plowing Contracts with Gary Sanborn, John Winslow, Mark Tibbetts, Kevin Fisher, Mark Young, Paul Smith, East Coast Signals, Steve Rollins and Kevin Young for the Board's approval.

**Motion:** Vice Chairman Pitman moves to approve the contracts

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Aron Dibacco - NH Listens**

Ms. Dibacco introduced herself as a new resident to Deerfield. She is familiar with a program through UNH called NH Listens which would create staff and support an open exchange for Towns as they talk about civic issues. She provided the Board with a packet of information describing the process and described that Raymond has used the group to talk about how to speak with more civility. There are six towns locally who have engaged NH Listens and that subsequently created standing teams in place, i.e. "Concord Listens" and "Pittsfield Listens".

The cost for the time spent and preparation of the end report is usually around \$2,000, however if Ms. Dibacco were to take on the facilitator role for Deerfield that cost would go away. It would require an additional person or two to take on the Town's side of the process in organizing and stimulating conversation. Chairman Barry asked whether Ms. Jeannie Menard might be interested in working with the Ms. Dibacco, she responded that she would, however she does not feel that some residents of the Town would think her as unbiased and objective and individual as she knows herself to be. Selectman Robertson commented that the process seems similar to that undertaken with the design Charrette which attracted a more diverse group of citizens than might normally participate in the conversation. The Board was in favor of pursuing the opportunity further in regards to the safety service needs of the Town and would like to find a volunteer to lead the effort.

**Regular Business**

**Minutes - October 5, 2015**

**Motion:** Vice Chairman Pitman moves the minutes as written

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Accounts Payable - \$45,796.97**

**Motion:** Vice Chairman Pitman moves to approve

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**County Warrant - \$523,540**

**Motion:** Selectman Robertson moves to authorize the Chair to sign

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Letter from the Deerfield 250th Anniversary Committee inviting the Governor to attend its January 2016 Kick Off Event**

*The Select Board joined the Committee in signing the invitation*

**Chief of Police Recommends Appointment of Erik Baker of Rochester, NH and Alexander Molet of Raymond, NH as Probationary Full Time Officers**

**Motion:** Vice Chairman Pitman moves to accept the appointments

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**2015-2016 Equipment Rental Contract with Mark Young - Loader Rental at a rate of \$60/hour or \$2,800/month**

**Motion:** Vice Chairman Pitman moves to approve and authorize the Chair to sign

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**CAI Technologies Contract - 1/1/2016 - 12/31/2016 - Mapping Services**

**Motion:** Selectman Robertson moves to approve and authorize the Chair to sign

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Pole Petition - Mt. Delight Rd**

Chairman Barry reported that the Road Agent has had a chance to review and given the OK on the pole location.

**Motion:** Vice Chairman Pitman moves to approve and authorize the Chair to sign

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Technical Services Agreement - Physio Control - \$6,200/year for the LUKAS machine**

**Motion:** Selectman Robertson moves to approve and authorize the Chair to sign

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Town Clerk/Tax Collector - Auto Registration Error - Refund Request of \$197**

**Motion:** Vice Chairman Pitman moves to approve

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Timber Tax Levy - \$260.79 - David & Elaine Nelson, Nottingham Rd**

**Motion:** Selectman Robertson moves to approve

**Second:** Vice Chairman Pitman

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Request to Surplus - Printer in the Highway Department**

**Motion:** Selectman Robertson moves to approve

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Non-Contemporaneous Business - October 9, 2015 - 3 Members signing**

**Payroll Manifest - \$61,433.58 (\$47,617.67 net)**

**Accounts Payable - \$336,715.73 (\$250,000 transferred to the School)**

## **Intent to Cut Wood or Timber - 228 North Road, William Maggard & Kerri Hawk**

*Signatures Executed*

### **Correspondence**

The Road Agent writes to report that the Highway Shed doors are on and that the Grader has been moved inside.

The Town has received a request to reduce the interest charged on liens against a property. Chairman Barry spoke that, at this time he is not in favor of reducing the interest as no active efforts have been made to pay off the amount due. The Board agreed and asked the Town Administrator to compose a letter stating its position.

Chairman Barry updated that the Town is waiting for the court to sign off on its decision regarding the property on Middle Road. He noted that the courts are up to a month behind schedule due to staffing shortages.

The Board received information from Primex on the 2016 Unemployment Compensation policy; the Town's contribution will be reduced from \$2,754 to \$1,645. The Property and Liability Policy will renew with a rate increase from \$4,633 to \$4,953. The Worker's Compensation policy will see an 8.3% increase to \$33,178.

The Northern Pass has submitted its Wetlands Permit and provided the Town with a thumb drive of the 4,000 page application. This is for informational purposes only, no action is to be taken at this time.

The Town received notice that the Loader made contact with the 2015 Ford Dump Truck recently causing minor damage to the rear panel.

### **Town Administrator's Report**

J. Foisy updated that the Northern Pass has filed the Site Evaluation document with the State. Once available the document will be linked through the Town Website for Residents to review.

Primex has offered to conduct a review of the Police Department, similar to the work done with the Fire Department. The Board had no objections.

J. Foisy has been speaking with the State regarding FEMA reimbursement money and expects to see a check in the next three weeks. She will set up a 45 fund and hold a Public Hearing regarding the acceptance of the money. With acceptance, she will reconcile the associated Highway Department expenses to that fund. The Office has fielded several calls regarding the new paving on Route 43 and asking that the yellow lines be painted. She had relayed the concern to the State. Mark Tibbetts has reviewed the flooring issue at the Town Hall and confirmed that the subfloor is sound, he will work to replace the trouble boards. Finally, J. Foisy

updated that the work on the Parks & Recreation side of the George B. White building is going well and should be concluded within a week.

Selectman Robertson spoke that there appears to be signs of residents at 123 Nottingham Rd, a property the Town has taken ownership of, and asked the Town Administrator to coordinate a visit to the property.

**Unfinished Business**           None

**Other Business**           None

**New Business**

Selectman Shute invited everyone to attend the Tailgate Trick-or-Treat Sunday, October 25th at the Fairgrounds.

**Non Public Session**

**Motion:** Vice Chairman Pitman moves to enter into a Non Public Session under RSA 91A-3, II (e)

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Reconvene**

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

**Motion:** Selectman Robertson moves to seal the minutes of the Non Public Session

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Non Public Session**

**Motion:** Vice Chairman Pitman moves to enter into a Non Public Session under RSA 91A-3, II (c)

**Second:** Selectman Robertson

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Reconvene**

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

**Motion:** Selectman Robertson moves to seal the minutes of the Non Public Session

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Citizens Comments**

Ms. Kate Alexander asked if, when the Board goes into a Non Public Session under RSA 91A-3, II(c) does it need to inform the person it is discussing of such so that they have the right to say they want to discussion to be held publically? Chairman Barry responded that no, that the Town has the right to discuss hiring, firing and other Human Resource matters relating to its Employees before it becomes Public. He added that when a decision is made the Town would have to inform the Employee in question. The individual spoke that she wanted to be clear of

the law as the Non Public sessions under that RSA seem to occur every meeting. She went on to ask where the Town does its banking. J. Foisy answered that Deerfield has two banks, the majority of the accounts are held with TD and a Money Market account is held with Citizens.

Ms. Harriet Cady asked that the Northern Pass information be placed on the Town's website. J. Foisy responded that the file size is too large, but that it will be linked as soon as it is made available on a public website. Ms. Cady spoke that she had asked that the Town Treasurer let her review the Town bank accounts under the Right to Know law and has not received a reply. J. Foisy responded that a reply email was sent as she was copied on it. The statements have been made available for Ms. Cady to review and are in the Town Office when she is able to visit.

Mr. Kevin Verville asked whether the results of the Safety Complex questionnaire had been tallied, Chairman Barry answered that yes, they had been compiled and just recently provided to the Board. The responses varied greatly and, as a result, Chairman Barry would not make a comment on the overall "results". Mr. Verville updated the Board that, since he last commented, he has taken a tour of the Fire Department facilities. He found the Fire Station to have a very cramped space. The support beams of the first floor are out of line, making maneuvering the large equipment in and out very difficult. He reported that service work to the fleet during the winter months is extremely difficult as it needs to be done outdoors. He believes that the Station has met or exceeded the Town's needs since it was built in 1950 but feels that today more space is needed. He wondered if a more "folksy" and traditional building style had been floated if it would have been more favorably received. Mr. Verville asked for clarification as to whether the report from the auditor identified shortcomings of the Station that were legal requirements, or were they more modern day "recommendations". He will be scheduling a similar tour of the Police Department facilities. The Board thanked Mr. Verville for his efforts and response. Selectman Shute suggested that Mr. Verville would be a good candidate for heading up the NH Listens initiative.

Mr. John Sinnamon spoke that, while he had come with the intent of commenting on another matter, he wished to thank the Board and express his appreciation for the personal time they give to supporting the citizens of the Town and for the work that it does.

Ms. Harriet Cady pointed out that, in Johnson v. Northwood, the Supreme Court ruled that Employees have the right to be present when they are spoken about in a Non-Public Session.

### **Adjourn**

**Motion:** Vice Chairman Pitman moves to adjourn the meeting of October 19, 2015

**Second:** Selectman Shute

**Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries**

**Next Meeting Monday, October 26th, 2015 @ 5:30p**

*The Minutes were transcribed and respectfully submitted by Katherine A. Libby, Recording Secretary.*



*Pending approval by the Board of Selectmen.*