

**Town of Deerfield
BOARD OF SELECTMEN
November 7, 2016
MINUTES**

Call to Order

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

Present: Stephen Barry, Chairman; Richard Pitman, Vice Chairman, Fred McGarry, Andrew Robertson, and Jeff Shute, Selectmen

Pledge of Allegiance to the Flag

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

Scheduled Appointments

Robert Baker - Middle Road

Mr. Baker asked the Board to consider presenting a Warrant Article to pave the unpaved portion of Middle Road. He spoke that the road is a main thoroughfare of the Town and unequipped to handle the volume of traffic. Chairman Barry noted that the road had not been graded this year due to a lack of water, to which Mr. Baker responded the best solution for the road's maintenance would be paving it. Chairman Barry had spoken with the Road Agent and the estimated cost to pave Middle Rd from Birch Rd to 43 would be \$630,000. Selectman Robertson spoke that he has no issue with the Warrant Article being put forward, though he does not believe the Board would support the Article. A Petition Warrant Article would require no less than 25 signatures and would be a majority vote item (as opposed to requiring $\frac{2}{3}$ approval). Selectman McGarry noted that the Planning Board had considered requiring improvements to Middle Road with the development of Hartford Brook, but received substantial pushback from residents.

Mr. Baker spoke to the ability for a car to stop on gravel being far less than on pavement and suggested that the Police Department increase its patrols along the road. Carl Oehler, a resident of Middle Road, spoke that he prefers to keep the road dirt. He recalled that the Police Department recently conducted a study and there were six to eight cars traveling in excess of 65mph on the road in a five day period. He feels that paving would only allow cars to travel faster.

The Board encouraged Mr. Baker to proceed with a Petition Warrant Article as he sees fit, the deadline for submission being January 6.

Joe Manzi - Parks & Recreation Update

J. Manzi introduced Darin Radatz, the new Assistant Director of Parks & Recreation and provided a bio and background of Mr. Radatz. He will begin at the end of November, the Board welcomed him aboard.

The Department has been reviewing vendors to facilitate online registration and credit card payments. J. Manzi recommends pursuing a contract with RecDesk. The agreement would charge 2.9% plus a \$0.30/transaction fee. Selectman Robertson voiced support as he has been approached on several occasions asking why the programs don't accommodate online payment. Chairman Barry noted that the accounts would need to be set up properly with the Town Treasurer. Selectman Shute noted that the Parks & Recreation Commission has reviewed the information and is in favor of moving forward.

As the American Legion is once again renting its facility, J. Manzi asked whether there were any new protocols for hosting events that involve alcohol. The Board had no objections to a BYOB event and confirmed there has been no change in the policy.

The Veterans Day Ceremony will be held at the Town Hall on November 11th at 11a. Also, the materials for the Land Water Conservation Fund Grant are under review and the Department expects to hear back in November.

Parks & Recreation is reviewing how to get more Staff members certified to drive the passenger van, previously a course was offered by the Local Government Center. Selectman Robertson suggested looking into the UNH Program and Selectman Shute suggested that the State may have an offering as well.

Budget Review

Chairman Barry recapped that the 2017 Proposed Town Budget totals \$3,851,940, an approximate \$150,000 increase over the 2016 approved budget. The Budget is initially due to the MBC for review on November 29th. The Board was in support of the previous wage adjustments discussed for the Police Department effective January 1, 2017. Regarding the remaining employee wage increases, the suggestion is to apply a 2.5% increase across all employees with the exception of the Transfer Station Supervisor who would have no increase. The last universal wage increase was done in 2015. Selectmen agreed to wait on further decisions regarding the increase.

Regular Business

Minutes - October 24 & October 31

Motion: Vice Chairman Pitman moves to approve the minutes

Second: Selectman McGarry

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

Accounts Payable - \$536,623.97 (\$500,000 transferred to DCS)

Motion: Selectman Robertson moves to approve

Second: Selectman Shute

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

Payroll Manifest - \$50,785.75 (\$38,226.33 net)

Motion: Vice Chairman Pitman moves to approve

Second: Selectman Robertson

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

Town Warrant - \$6,157,773

Chairman Barry noted that the Board has voted to set the tax rate at \$22.10 per \$1,000 and that rate has been approved by the DRA.

Motion: Selectman Robertson moves to sign the Tax Warrant

Second: Selectman McGarry

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

Flexible Benefit Plan/Flexible Savings Account Agreement with Health Trust

Motion: Selectman Robertson moves to authorize the Chair's signature

Second: Vice Chairman Pitman

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

Clean Harbors Hazardous Waste Day Agreement - \$10,000 to be held November 12th

Motion: Vice Chairman Pitman moves to authorize the Chair's signature

Second: Selectman Robertson

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

Health Trust - Letter Confirming the Town's Acceptance of the "Option 2" Plan

Signatures Executed

Old Center Cemetery Deed - James & Jacqueline Spence - \$800

Motion: Selectman Robertson moves to approve the sale

Second: Selectman Shute

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

Review of Correspondence

The Fire Chief has requested the Town move \$4,048.17 from the Expendable Trust Fund for vehicle repair bills including a new Forestry Pump, the rebuilding of valves on Engine 4 and repairs to the rear brakes on Engine 1.

Motion: Selectman Robertson moves to expend the monies as noted

Second: Selectman Shute

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

Police Chief Duquette has sent a letter confirming that the hiring process is complete and recommending that the Town hire Officer Benjamin Averill to replace Officer Kegan Pearl.

Motion: Selectman Shute moves to authorize the hire

Second: Selectman Robertson

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

Notice of Intent to Cut Wood or Timber - Nancy H Mathis Trust, 110 Raymond Road, Map 418, Lots 22, 23 & 78

Signatures Executed

The Deerfield Historical Society has contacted the Board with concerns regarding the amount of items being stored in the rear hall of the Town Hall making it unsafe to access the Historical Safe. It was suggested that the Board appoint a Town Hall Committee to address such matters. Chairman Barry noted that most of the tables and chairs being stored in the hallway are in active use and did not feel it would be logical to move them off site. The Board will review the space tomorrow while Members are at the Town Hall for the election.

Due to expected heavy traffic, the Town Moderator has asked that all election staff park at the rear of the lot at the Town Hall.

The Northern Pass Defense Fund has received an additional \$1,450 in donations, as such a Public Hearing will be held November 21st to discuss accepting the monies. The balance due for Attorney Whitley's fees is approximately \$3,000.

The Planning Board has a list of further questions that it would like the Board, by way of Attorney Whitley, to present to Eversource/Northern Pass. Kate Hartnett described the Planning Board's process, the Board reviewed the Town's existing plan documents, i.e. the Master Plan, and conducted an analysis between what was said by Eversource/Northern Pass and asked that Eversource/Northern Pass explain any actual or apparent contradictions. Selectman McGarry noted that there were varying positions on the Planning Board regarding the Northern Pass project and that he feels the questions are very fair and being put forward with the best interests of Deerfield in mind. Selectman Robertson voiced that he feels forwarding the material from the Planning Board and Conservation Commission would be an appropriate use of Town Funds and it was agreed to ask Attorney Whitley to bill separately for this work so that the Town could pay the cost directly.

Selectman Robertson noted that the Deerfield Safety Services Committee will be meeting Saturday, November 12th at 9:30 in the DCS Cafeteria and that the Steering Committee invites and encourages everyone's attendance. It is asked that individuals RSVP, a link with contact information is available on the Town website.

Town Administrator's Report

J. Foisy reported that Mark Tibbetts has had Therrien Roofing out to look at the leak in the GBW Building roof and found several areas to be fixed, Therrien will be correcting the issue at its own expense.

Repairs are being made to the holding tanks in the pump house and boiler room. The water tank near Parks & Recreation is also leaking. M. Tibbetts will be ordering two new electric water heaters and a holding tank, J. Foisy will return with a request to move monies from the Municipal Government Building Expendable Trust. Chairman Barry asked that M. Tibbetts survey all of the building components, making note of their age and state.

Work to the upstairs bathrooms will begin in December. J. Foisy asked whether the Board had reached a decision on the Town Website work, members asked for further time to consider the idea.

Unfinished/Other/New Business

Selectman Robertson spoke that there seemed to be some confusion among the Conservation Commission and planning Board regarding the marking of trees along Scenic Roads. Selectman Robertson had reviewed the Planning Board minutes and it seemed to reflect poorly on the Road Agent, when in fact the landowner had no concern regarding the trees being cut. It appeared the process of holding a Public Hearing had not been followed. It was confirmed that a landowner can cut trees on a scenic road without permission so long as it is not within the right of way.

Scheduled Appointments Cont.

Kevin MacDonald

Mr. MacDonald opened with a point of clarification that the Agenda should have read that a "Group of Former Deerfield Volunteer Fire Department Members" wished to address the Board as that was the way the appointment form had been submitted. He spoke that the group has come to express serious concerns about the Fire Department. They feel that over the last year and a half the Board has not properly addressed concerns regarding the Chief and asked whether the seven procedures it asked the Fire Chief to implement in a November 2015 letter had been carried out? The group expressed a vote of no confidence in the Chief and asked for his removal, the petition was signed by twenty eight former members of the Department.

Larry O'Neal asked whether the Board was aware that various members removed from Deerfield's roster have been offered and have accepted positions in neighboring Towns so that they are now responding on mutual aid calls to their own Town. The Board asked the individual what he felt was the most important issue needing to be resolved, he responded that he removed himself from the roster for his own wellbeing and safety, he does not feel that the Chief is conducting a safe program.

Tom Dillon of Haynes Road spoke that specific allegations have gone ignored and he feels the Board is covering for the Fire Chief. Chairman Barry countered that as the Board has investigated accusations they have been found to be unfounded.

Bradley Briggs of Birch Road asked why, if the Department is constantly requesting the Town purchase new apparatus, is it being left in the Firehouse during a call. He spoke to the lack of volunteers to man the equipment, noting that at a recent call where surrounding Towns were being called for mutual aid, Deerfield's Engine 3 never left the Firehouse. He suggested that the Department stop asking for more equipment until it can address its personnel problem.

Selectman Shute spoke that all seven areas identified in the Board's 2015 letter to the Chief had not been executed, but that some were implemented. He noted that the Board has investigated several of the complaints, but each time the people the Board spoke to express a faith in the Chief's abilities. Without hard evidence, the Board's is at an impasse.

Don Wyman spoke that he had served the Department in 1991 and 1992 under George Clark. When Chief Tibbetts assumed control instead of waiting the expected six months of probation the volunteer was kept under scrutiny for not responding to calls, was bullied in a meeting in front of the entire Association and ultimately turned in his gear, giving up on the Department. He spoke that if you cannot trust the man you work with, you cannot work for them and insisted that the Board find someone new to serve as Chief.

Ginger Demers of Raymond Rd spoke of how proud and honored she and her husband were to have served on the force. She found the Chief to be verbally abusive and degrading and overall an unfit work environment. Giving up service was one of the worst decisions she and her husband were forced to make and she strongly urged the Board to take the concerns under advisement. She spoke of a younger generation of volunteers coming up who are not being trained properly and reiterated the lack of trust in the Department. Dale Purdy spoke of harassment within the Department. Dwight Stevens, who served 38 years on the roster spoke of the high turnover within the Department. Under the previous Chief there had always been a waiting list to get on the force, and asked why the Board didn't see the drop in volunteers as a red flag?

Danny Briggs spoke that the fact that only 15-17 Firefighters are available to cover the Town should be reason enough for the Board to take action. He recalled a day Chief Tibbetts insisted the building next to the Firehouse be burned against the advice of several. The conditions were too windy, but Chief Tibbetts continued forward and almost lost the Firehouse. He offered another example where the Department was to burn a house and the agreement was not to burn the neighboring garage. Under Chief Tibbetts command the fire burned too hot and the Department almost lost a truck. He offered the Whatmough barn burn as a third example and suggested that there must be photos and witnesses to document the events where common sense was ignored.

Rebecca Hutchinson of 30 Lang Road voiced sadness that the situation has gotten to the place that it has where individuals have been forced to say these things in public. As a former member of the Select Board

she had asked the Board to interview former members of the force, suggestions that was resoundly ignored.

Don Smith spoke that when he joined the force in 1976 under George Clark Deerfield rarely called mutual aid. Thanks to training from George and bud Clark they had a strong a capable force. He feels Chief Tibbetts is more interested in the status symbol of the Fire Department and is more concerned with flashy patches and badges than he is the Department. Currently the approach is that one person "belongs" to each piece of equipment, whereas previously anyone available and qualified ran the equipment, putting out the fire was priority number one. He urged the Board to hire someone qualified to serve as Chief.

Jeanne Menard thanked the individuals in the room for their service and for coming forward, noting their unbelievable contributions and sacrifices for Deerfield. She asked that the Board regroup and reestablish the people as the Town's most valuable resource.

Selectman Robertson spoke that more than a few people have approached him individually with concerns. Selectman Shute reiterated that, in speaking with members of the force, everyone was confident with what was going on in the Department. As complaints were voiced Selectman Robertson has asked, "Did you ever feel unsafe?" and the response was "No". Two individuals had voiced to Selectman Robertson that they felt Chief Tibbetts did a good job with commanding a fire. Chairman Barry explained that the members of the Select Board have no firsthand knowledge as to how to fight a fire and is forced to rely on the information it is given. Selectman Shute spoke that he has heard more on this topic in the last five weeks than he has in the previous two years.

Ginger Demers asked whether the Board receives a copy of the letters sent to the Chief when an individual resigns from the Department. The Board answered no, to which Ms. Demers insisted it should, as it is important. She spoke that the Board should be contacting every departing member who went through the process to become certified to serve the Town.

Bill Von Hassel of Middle Road, cited only twelve to thirteen members were on a major structure on Church Street, that equipment can't get out of the firehouse, and that only two to three people are physically in Town during the day as evidence of inadequate coverage. He feels this is a safety issue. The topic of exit interviews had come up last year and was shot down by the Board, he spoke that the only reason not to conduct an exit interview is because you don't want to know what is going on.

Doreen Schibblehute of the Deerfield Rescue asked whether the Board understood everyone's insistence on closed door meetings. Or why Rescue does not want to become a part of the Fire Department. She spoke that the repercussions of crossing Chief Tibbetts are extraordinary. People are being treated poorly, Chief Tibbetts does not understand how to behave as a leader. Devon Alan of Reservation Road spoke of a series of unfounded write-ups he received. He is currently pursuing his EMT 1 certificate and would serve the Department if Mark Tibbetts was not the Chief.

Carl Oehler of Middle Road noted how ironic it is that equipment can't reach the scene of a fire when he is right next door at the Highway Department and is CDL certified. He suggested that there are several individuals in Town available to drive that equipment.

Chairman Barry expressed appreciation for the group having come forward and emphasized that the Board has heard everything being said and it is not being ignored. He spoke that the Board will try to find a way to make it right. Selectman Robertson echoed the sentiment and Selectman McGarry thanked the

individuals for providing specifics. Selectman Shute spoke that, if anyone experiences any lash back or harassment as a result of their having spoken tonight, to let the Town Administrator and Board know immediately.

Charles Leeman of Raymond Rd suggested that the Board delegate a Selectman to serve as a liaison with the Fire Department in order to gain a firsthand understanding of the training, etc. Chairman Barry confirmed that he is working towards doing just that. Kevin MacDonald closed by thanking the Board for listening.

Regular Business Cont.

Appointment of Selectman Pro-Tem for Vice Chairman Pitman during the 11/8 Election - Rebecca Hutchinson and Dwight Barnes

Motion: Selectman McGarry moves to approve

Second: Selectman Robertson

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

Jeanne Menard - Northern Pass Update

Ms. Menard spoke that there will be four areas where the Selectmen may choose to weigh in on with regards to Northern Pass, the discussion about tax revenues is of particular importance. She cited the revised revenue projections that moved from an original \$1,800,000 to \$718,000. She will leave information for further review with the Town Administrator.

Citizens Comments

Ms. Harriet Cady spoke that she told the Board a year and a half ago that it should be looking into why the firefighters were leaving the Department. She feels there is a management problem and that Administration does not understand proper management practices. Ms. Cady's son was a certified firefighter and paramedic who trained others and was driven off the force by Chief Tibbetts; the Town now pays \$3,000 for the training her son was administering.

Non Public Session

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

Second: Selectman Robertson

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

Reconvene

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

Motion: Selectman McGarry moves to seal the minutes of the Non-Public Session

Second: Selectman Shute

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

Non Public Session

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

Second: Selectman Robertson

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

Reconvene

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

Motion: Selectman McGarry moves to seal the minutes of the Non-Public Session

Second: Selectman Robertson
Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries

Adjourn

Motion: Vice Chairman Pitman moves to adjourn the meeting of November 7, 2016

Second: Selectman Robertson

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

Next Meeting Monday, November 14, 2016 @ 5:30p

*The Minutes were transcribed and respectfully submitted by Katherine A. Libby, Recording Secretary.
Pending approval by the Board of Selectmen.*