

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
May 22, 2017  
MINUTES**

**Call to Order**

5:30 pm – Chairman Barry called the meeting to order

**Present:** Stephen Barry, Chairman, Richard Pitman, Vice Chairman, Andrew Robertson, Jeff Shute. Absent, Fred McGarry, Selectmen

**Pledge of Allegiance to the Flag**

Chairman Barry asks all to rise and pledge Allegiance to the Flag

**Public Hearing – RSA 31-95b – Acceptance of Unanticipated Donation**

The town has received over \$13,000.00 in a donation sent with the explicate idea that it would be used to continue to pay Mr. Steven Whitley as the town's attorney for Northern Pass situation.

Chairman Barry called for a vote of people in the Public Hearing who wanted the monies to be used for Northern Pass. It was determined that it was a majority vote in the affirmative.

Mrs. Cady stated that she had a hard copy for the Board. Mrs. Cady asked the Board of Selectmen under what law the Board could accept anonymous donations. I would put to you the fact if I said that I would anonymously donate a police car as long as I never get a ticket, could you do that? Chairman Barry stated that you couldn't. Mrs. Cady continued you are spending money that is coming anonymously against what other taxpayers in this town wishes are for. She stated that it comes under compelled speech. Under Article 8 of the NH Constitution, "all government is open". Your actions must be open. Thus the money that you receive and spend must be open. You not only spent donations for Attorney Whitley and Mr. Sansoucy actions against Northern Pass. Yet we that are for Northern Pass have not had equal protection of expenditures of tax payer funds. Have you figured out the cost of administration and bookkeeping of the donations as well as the town's putting in \$5,000.00 of tax payers' money into the No Northern Pass action? As when do you special duty for police, there is administrative charges, so should there be with the donations for No Northern Pass. The contract of Attorney Whitley states no actions that he will take on behalf of the Town of Deerfield. I have read the contract. So what has he done? The Conservation Commission has also been testifying against Northern Pass coming to Deerfield. But as a public body they must act with impartiality and where is the written testimony they have submitted for the citizens to read. Since certain members of this board, had or still have "No Northern Pass" signs on their property, how has their testimony been impartial. Where are the minutes showing what was voted to be presented to the Site Evaluation Commission on behalf of the town, by the Planning Board, Conservation Commission and the Select Board. I thereby state the Deerfield Boards by their involvement have made speech which through my taxes has compelled me to be in support of a stance for "No Northern Pass" even though I have on all occasions stated that I was for "Northern Pass".

Jack Hutchinson appreciates what the Board is with this. It is like other big billion dollar projects such as fracking, coal mining, building a system like this. People are going to make a lot of money if they build it. They will spend a lot of money to do it; they are spending a lot of money now. There will be losers and we do not want to be the losers. And the way to have that not happen is to represent the interests of Deerfield very clearly of the people that will be affected by the noise of the power station or the construction, what it will do to our roads, to property values, what it does to the community we have and I think that is what this money is for. It's not essentially to oppose the construction, it is to represent our interests really clearly so that we aren't losers in this process and I am really happy to see this going forward and wonderful that so many people are donating for it.

**Reconvene:**

With no further Public Comment, Chairman Barry recesses the Public Hearing and reconvenes the Select Board Meeting.

**Motion:** Vice Chair Pitman moves to accept the donations and to use it for its intended donation purpose

**Second:** Selectman Robinson

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

Chairman Barry thanks all that attended the Public Hearing.

Denise Grieg – Thurston Pond Road

She didn't know if recognition was done to record that there were approximately over 50 people in the room for the vote. Vice Chairman Pitman stated that he had recorded 51 plus in the room. Chairman Barry thanks Denise Grieg for this information.

**Scheduled Appointments:**

**Joe Manzi – Pricing for Irrigation and Fireworks**

**Irrigation:**

He had sent information to the Board regarding prices gotten on some different projects – Pricing for the irrigation. He got two prices back, one from Rainmaker and the other from Coldbath Landscaping. Both companies met him on location to go over the projects. Prices submitted were comparable with a slight difference in the number of heads. Rainmaker's estimate contains a few more heads than Coldbath Landscaping.

Mr. Manzi recommends that the Board go with Coldbath Landscaping for the irrigation project at Bicentennial Field for the estimated price of \$3,820.00. Vice Chairman asked if 45-50 heads was good enough and Mr. Manzi stated that according to Chris, it is ample but that we could request 50 heads since his estimate was for 45-50 heads. Vice Chairman Pitman would think that we should make it 50 since the other estimate had 55 so there must be a reason. Mr. Manzi stated that in Coldbath's case, they literally flagged out and marked the spots whereas Rainmaker just measured the area and physically didn't put flags in the spots so just estimated number. The Board had no issues with the recommendation.

The other estimate is to finish the work at Hartford Brook. Coldbath did the first part initially at cost. To finish the project Chris Coldbath estimated it will be \$1,700.00 and Mr. Manzi recommended we have Colbath Landscaping finish the project. The Board had no issues with the recommendation.

**Fireworks:**

In regards to the firework display, a number of requests with the pricing at \$4,000.00 were sent out. One company wasn't available to do that date, the other company was one we have used in the past North Star Fireworks and have nothing but positive things to say about them and the other company was Atlas who has a number of locations at least retail around New Hampshire as well as setting off fireworks. Mr. Manzi asked for municipality recommended of which they sent back a lot of big ones such as Manchester, and a lot of other towns around New Hampshire. Mr., Manzi contacted some of the towns and the reviews are glowing. For Mr. Manzi, even though we have been satisfied with the other company, Atlas is a New Hampshire company and may be able to do more with the budget than North Star had indicated. The Board had no issues with the recommendation of Atlas Fireworks. Vice Chairman Pitman asked how donations were coming. Mr. Manzi stated that he wanted to again thank the Deerfield Fair Association for hosting the fireworks this year and for donating \$2,500.00 for the display.

Last project is for the concrete portion of the dugout area. Shea Concrete, Rick Bailey who is not living in town anymore who stated he couldn't do the project. Jeff Littlefield stated that they would do it for cost of the materials. Mr. Manzi recommended that the job should be awarded for Jeff for just cost. No one objected.

Mulch chips were installed and spread at the gazebo playground and the playground at the G. B. White for the cost of \$2,100.00. The chips are now at safe levels at the playgrounds.

They have purchased two more AED units will be installed in a full cabinet and alarm unit. They are currently backordered and should be in by the middle of June. They will be installed at the Bicentennial Field and the fields at Hartford Brook. Upon the recommendation of the Town Administrator, the AED unit that is currently mounted on the Park and Rec end of the building should be in a cabinet also so that is going to be done. The ones in outside cabinets currently have alarms so people know when they are being used and they hopefully should be safe in those spots.

Advantage Tennis is coming back to look at the tennis courts to look at courts for touch up surfacing on the basketball and tennis courts. Mr. Manzi is going to be putting together a longer, larger plan as well. The water running through them over time is just a constant wave, crack situation and might be more of a drainage situation.

Mr. Manzi also discussed the Online Registration Program and how it has been working. The feedback has been excellent. An example, there have 120 registrants for summer camp and they have only printed out one packet to date. People have been printing them out from home if they choose to do it that way but people are using it. We currently have 52 falls after School program registrants and they have all come through the Online Registration Program. Upstairs is happy with how it is working out.

Jeff Shute mentioned talking about the new team programs. Asst. Nick Lawrence who is going to be with Parks and Recs for a few weeks, is going to be offering a flag football program for incoming grades 7-9. A weekly trip program

for the same incoming grades will be visiting different places in New Hampshire with a maximum of 10 children per trip using the Park and Recreation van.

The school gym was talked about to be used for the summer program but because of the summer maintenance schedule the school felt uncomfortable allocating the space.

Mr. Manzi also wanted to thank the 250<sup>th</sup> Committee and John for allowing Parks and Rec to take the shot and Deb Treantafel for creating a better than professional sign to announce Old Home Day. It basically was the flip side of the 250<sup>th</sup> sign that was used. The paint was onsite and the letters were also. Deb painted it beautifully and they will be doing something similar for things like Tailgate Trick or Trick. The Board thanks Mr. Manzi.

#### **Don Gorman – Mountain Road**

A situation has recently developed that there could be a vacancy in the State Legislature for the representative for the Town of Deerfield. Mr. Gorman stated that should the vacancy occur and the Board decides to have a special election it is my intention to file for this position. The reason is primarily because I have been working with the Strafford County Drug and Alcohol Rehab for almost a year and working with the State Legislature on drug rehab programs within the state. The drug problem within the state of New Hampshire is out of control as everyone is well aware. I have been working on my own and intend to file to complete that term should it become available. Mr. Gorman just wanted the Board to be aware of his intentions.

#### **Regular Business:**

##### **Minutes – May 8, 2017**

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

**Second:** Selectman Robertson

**Discussion:** None

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

##### **Minutes – May 18, 2017**

**Motion:** Selectman Robertson moves to approve

**Second:** Selectman Shute

**Vote: Yea 3, Nay 0, Abstained 1, Motion Carries**

**Account Payable Manifest** – Put on hold until number can be verified as number provided seems to be the same as the one voted on at the May 18, 2017.

##### **Payroll Manifest – \$57,077.63 (\$42,142.72 net)**

**Motion:** Selectman Robertson moves to approve

**Second:** Selectman Shute

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

##### **Request for Veteran's Tax Credit – Amanda Zigmatis**

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

**Second:** Selectman Robertson

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

##### **Permission to Sign – Financial Audit Form from the N.H. Department of Environmental Services**

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

**Second:** Selectman Shute

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

##### **Appointment – Heritage Commission**

A recommendation that Lindsay Combs be reappointed to the Heritage Commission with a term to expire on April 30, 2020.

**Motion:** Selectman Robertson moves to approve

**Second:** Selectman Shute

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

##### **Appointment – Supervisors of the Checklist**

A recommendation that Diana Mary Allard be appointed as a Supervisor of the Checklist with a term to expire on March, 2018.

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

**Second:** Selectman Robertson

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

Information from the Town Administrator expending balances of Impact Fees and suggestions on how to use before they expire:

Highway Impact Fee line item balance - \$118,924.44  
Range Road paving - \$30,000.00  
South Road paving - \$50,000.00  
Mt. Delight Road paving - \$30,000.00  
Middle Road paving - \$14,000.00  
For a total of: \$124,000.00

Selectman Robertson stated that the traffic counts justifies the use of impact fees for the amounts above and commended the Town Administrator for bringing this up.

Transfer Station Impact Fee line item balance - \$35,307.00

It was suggested to build an addition to the existing barn structure for handling additional materials required by recycling vendors prior to being removed. The initial plans indicate that the balance will be enough to complete the structure.

Vice Chairman asked how the Board would be able to approve an amount that is higher than is currently in the line item balance. The Town Administrator stated that at the time that the figures were provided, the line item amount was enough to handle the costs. Unfortunately monies in this line expire on a monthly basis. The difference needed would be made up in costs for Middle Road. All monies will be expended in the amount of the line balance. Chairman Barry made a motion to approve all expenditures of the impact fees as provided.

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

**Second:** Selectman Robertson

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

The Chairman requested permission from the Board to be the single signer for the deeds for the auction of town property.

**Motion:** Selectman Robertson moves to approve the Chairman to be the sole signatory on the three parcel auction that will be taking place Saturday, June 17<sup>th</sup> at 10:00 a.m. in Deerfield, NH. This is for property at 278 South Road; Lot 67, Map 424 and Lot 109, Map 424, both off of Raymond Road.

**Second:** Selectman Shute

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

The Chairman requested approval of the advertisement that was received from James St. Jean for the auction.

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

**Second:** Selectman Robertson

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

The Chairman brought to the Board the question that was asked by members on Timber Tax rates.

The timber tax rates are based on quarterly approved dictated state rates and the rate that is applied to a cut is dependent upon when the cut takes place. These rates are constantly monitored by assessing and finance.

There was discussion on previous ways that the rate was approved but has been changed to the above.

**Correspondence:**

Repaving on Route 107 and Route 43 will begin shortly according to correspondence provided.

**Letter of Resignation – Evelyn Decota, Librarian**

The Chairman read a letter of resignation from Evelyn Decota which will be effective on September 20, 2017.

**Motion:** Vice Chairman Pitman moves to accept with regret

**Second:** Selectman Robertson

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

**Letter of Resignation – Fred Shepard – Town Trapper**

The Chairman received a letter stating he will be retiring. Selectman Robertson stated that he has talked with the conservation officer, Mike Matson, of Northwood stating that they are looking into candidates to replace him. It was discussed working with the highway agent or highway employee.

**Town Administrator's Report:**

None

**Unfinished Business/Other New Business:**

Aron Oiglesby Dibacco contacted Selectman Robertson and asked what the Board is doing regarding Safety Services and the process that she and Rebecca spearheaded for the Board. Selectman Robertson said that he would bring it up to the Board rather than reply for the Board. His thought was that the Board was taking a hard look at plans from neighboring communities were doing. Selectman Robertson would like to know if it was okay to refer her to the Town Administrator. Discussion ensued regarding the project and the issue is that Aron was concerned that the project would get dropped. Chairman Barry stated that he was hopeful that we would have something to present to the voters to see. It was asked to postpone discussion for a few weeks.

**Non Public Session** - Chairman Barry stated that the Board will be going into a non-public session and may or may not take action when they return. At that time the Board will return for Citizen's Comments.

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

**Motion:** Vice Chairman Pitman moves to seal the minutes of the Non-Public Session

**Second:** Selectman Shute

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

**Citizen's Comments:**

Harriet Cady spoke regarding the acceptance of anonymous monies to fight Northern Pass. She also stated that she has asked the Attorney General's Office under what law a select board can accept such donations.

**Motion to Adjourn:**

**Motion:** Vice Chairman Pitman

**Second:** Selectman Robertson

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

**Next Meeting Monday, June 5, 2017 – 5:30 p.m.**

*The Minutes were transcribed and respectfully submitted by Dianne L. Kimball, Recording Secretary  
Pending approval by the Board of Selectmen*