

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
October 29, 2018
MINUTES**

Call to Order

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

Present: Richard Pitman, Chairman; Andrew Robertson, Vice Chairman. Fred McGarry, Jeff Shute and Cindy McHugh, Selectpersons.

Pledge of Allegiance to the Flag

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

Deerfield Conservation Commission, Marston Farm – Serita Frey

Also joining Serita was Daniel Kern and Al Jaeger (and also next-door neighbor of the Marston Farm), Bearpaw Regional Greenways

Ms. Frey stated that they were there a few weeks ago, maybe even a month or two now and the Board signed an easement for the Marston property. At the time, they thought that it was a done deal.

Unfortunately, LCHIP, who supplied as the Board knows, \$50,000.00 towards the cost of the project, inserted some additional legalese into the document and they thought it appropriate to bring it back and ask the Board to sign again assuming that they were willing to do that after they summarize the changes and Mr. Kern is going to summarize what those changes are.

Mr. Kern stated that the changes requested by the LCHIP were essentially to, they added a bunch of boilerplates at the end of the document for instances of merger. There was an environmental warranty, title warranty and things like that.

They also added a provision that separated the executory interests that are held by the town and by LCHIP into two. LCHIP being the primary holder and the town being the secondary holder although any of the approvals that are granted through the document are shared between the town and LCHIP.

The essence of the document is the same. It was really just a collection of legal boilerplates that LCHIP requires in their current easements that they hadn't required in the past and that's they omitted them.

Ms. Frey stated, and she also stated that Mr. Kern could correct her if she were wrong, but this new version has been looked at by the current landowner and her attorney as well as the Bear Paw attorney and so on.

Ms. Kern stated that they had Gile's signature and they have the Board of Directors at Bear Paw. They just needed the Board of Selectmen's signature and then it would go back to LCHIP for theirs and then they would complete the project.

Motion: Vice Chairman Robertson moves to resign the Marston Farm conservation easement subject to the changes outlined by the Bearpaw representatives and the Conservation chair.

Second: Selectman McGarry

Discussion:

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

Ms. Frey stated that they had the document that the Board could sign to which Chairman Pitman asked if it were the same as the one he had to which Ms. Frey stated that it was the same except that she thought that the Bearpaw board has also signed now. The Board of Selectmen's copy is currently unsigned by the Bearpaw Board.

Chairman Pitman asked if the five signatures need to go on the copy that he had.

Mr. Kern stated as long as it is Page 20 and it's already signed to which it wasn't so they signed the one that Mr. Kern presented the Board.

Mr. Kern also thanked the Board for their continued support and that they really appreciate it.

Regular Business:

Review of Outstanding Minutes of 10/22/2018

Motion: Vice Chairman moves to approve the minutes of 10/22/2018 as written

Second: Selectman McGarry

Discussion:

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

Accounts Payable Manifest - \$47,904.10

Motion: Vice Chairman moves to approve the accounts payable manifest

Second: Selectman McGarry

Discussion:

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

Notice of Intent to Cut Wood/Timber – Shirley Hutchins, Map 422-1-1 – Currier Road

Notice of Intent to Cut Wood/Timber – Stephen and Dorothy Anderson, Map 405-8, North Road

Notice of Intent to Cut Wood/Timber – Stephen and Dorothy Anderson, Map 401-4, 74, Ridge Road

Notice of Intent to Cut Wood/Timber – Mark and Jennifer Shubelka – Map 210-28, Nottingham Road

Chairman Pitman stated that they have a replacement for Dave Duran for one-year, expiring March, 2019, Robert Cody on the Planning Board

Motion: Vice Chairman Robertson moves to appoint Robert Cody to the Planning Board with a term that expires on March 2019

Second: Selectman Shute

Discussion:

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

Ms. Cady brought forth that the term for Mr. Cody shouldn't have read for "one year" but just until March, 2019, which is what the appointment says.

Town of Deerfield Seasonal Dock Permission – Pamela English.

Motion: Vice Chairman Robertson moves to sign and accept Pamela English's application for seasonal dock permission

Second: Selectman Shute

Discussion:

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

Chairman Pitman stated that he needed a motion from the Board for the Chairman to sign the Road Safety Audit application.

Motion: Vice Chairman Robertson moves to authorize the Chairman of the Board to sign the DOT Road Safety Audit application on behalf of the Board

Second: Selectman McGarry

Discussion:

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

Chairman Pitman stated that they had a new vendor, Northeast Recovery Association which has to do with glass at the transfer station.

The letter stated that they will invoice the town at \$35.00 a ton.

Motion: Vice Chairman Robertson moves to authorize the Chairman of the Board to sign the agreement with NRRA for the removal of the glass from the transfer station.

Second: Selectman McGarry

Discussion:

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

Chairman Pitman stated that Ms. Roberts, Town Clerk/Tax Collector, would like the Board to approve when she needs to hire representation on tax collection and other matters from Beaumont and Campbell Professional Association, out of Salem. It's her request that she would like to be able to work with them.

Vice Chairman Robertson stated that he thought that this was a fine idea and he believed that they specialize specifically in tax related property matters and are not generalists at all and he thought the price was right also. Chairman Pitman agreed.

Motion: Vice Chairman Robertson moves to authorized the Chairman to sign on behalf of the Board to enter into an agreement with Beaumont and Campbell Professional Association for the town clerk's legal needs

Second: Selectman McGarry

Discussion:

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

Town Administrator's Report:

Mr. Harrington stated that he had one item tonight to just to get back to the Board on a question concerning the fire department physicals.

He did make a call to Primex to find out what guidance they could give the town.

At this time, because it's so new, they haven't had experience with how this is all unfolding and as information comes to them on how to work it out, what the process will be, they will be giving that information to all the municipalities once they have it and determine how it's going to affect municipal budgeting.

Unfinished, New or Other Business:

Vice Chairman Robertson stated that he would call attention to the finalized budget that Mr. Harrington had given board members tonight. He didn't think much had changed here except that the Library and Veasey Park will put on the finalized forms and with that said, he would like to make a motion.

Motion: Vice Chairman Robertson moves \$4,198,304.00 as the proposed Selectmen's Town Budget for 2019

Second: Selectman McGarry

Discussion: Vice Chairman Robertson stated that he would note that there's a Budget Committee meeting tomorrow night and it will be his intent that the Board has passed the bottom line number to give them the budget with the backup material and probably not answer too many specific questions tomorrow night but let them have it to digest and get back to the Board at the next meeting with their specifics.

The only other thing that he would mention, did they have the other budget, the default budget to which it was answered, yes. He asked Mr. Harrington if there was a copy that he could present tomorrow to which he answered, that he would get the Vice Chairman a copy.

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

Select woman McHugh asked if there was a value assigned to the compressor and Mr. Harrington stated that they were nothing that has come to him yet.

Chairman Pitman stated that he was also going to bring that up as far as he asked three or four tax payers what they thought about surplus and who gets a shot at it and everyone thought that an auction would be great if there are more than one or two things.

If the Board agrees, they could look into that.

Vice Chairman Robertson thought that it was a good idea and Chairman Pitman added that maybe a spring or if there was room to keep it, a fall auction.

Vice Chairman Robertson stated that they usually have some spare bicycles and that sort of thing that end up in the police department.

Chairman Pitman thought that it would be good to have it all under one deal and open it up to the town.

Select woman McHugh stated that she was also curious about and to pardon her as she didn't remember her last name but Beth that came with the large animal disposal and has they moved anymore on that.

Mr. Harrington stated that his recollection from the meeting is they were looking for some decision from the Board. He believed that the two options were to either purchase the property or lease a five-acre parcel if not purchasing the entire amount.

Vice Chairman Robertson stated that one concern that he had when he looked at that. He had no concern with the process. His little brother operates exactly the same sort of scenario with their dairy animals which is pretty common and well-established practice.

That said, he had some recollection that the town hung onto that 55-acres behind the transfer station out of concern for just having a buffer around the closed landfill and he would have some trepidation about selling that property just in case they ever had a leaching issue or that sort of thing.

He didn't know how the rest of the Board feels but he didn't have any exact minutes, that sort of thing but he did have some recollection that the town held onto that property specifically out of concern for how well the landfill aged.

Selectman McGarry agreed and asked if the Board wanted to look into the possibility of leasing, long-term lease?

Chairman Pitman stated the he definitely didn't want to sell it, his personal opinion that he didn't think that the town should sell it to which Selectman McGarry agreed.

Chairman Pitman thought that they would do it right but he couldn't respond to it because the Board hadn't discussed it but she did call the chairman.

Vice Chairman Robertson stated that he would agree with a long-term lease and there looks to him to be pretty easy potential for access using either the old landfill road that comes into the side and then straightening out or the existing road which the old road would be his preference as then no one would have to unlock the transfer station for them to access their site.

The only other thing that he would caution, of the farms he knew that have these, you get just about every predatory animal within 75-acres coming to carry away bones and whatever they can get at. He didn't know how close the neighbors were.

Selectman McGarry didn't know if they would be looking to fence it to minimize that.

Chairman Pitman asked Mr. Harrington to ask her to either give him a call so that they could get more information. He stated that maybe he could get together with Select woman McHugh and get something together to bring to the Board if that was okay with everyone to which all agreed.

Citizen's Comments:

Ms. Cady – Old Centre Road

Ms. Cady stated that she was at the Conservation Commission meeting when they read about the new restrictions in the deed because LCHIP wanted primary interest.

She stated that she found that this would go against what the voters voted in having conservation lands and spending as much as \$500,000.00 to obtain development easement rights.

It would be a part of Deerfield's right of the property not with giving primary interest to LCHIP just because they got \$50,000.00 in the case where the town is spending over \$250,000.00, LCHIP for \$50,000.00 can decide and have the major decision-making because they now, with that contract tonight, become the primary holders and decision-makers.

She didn't think that this should be just glossed over as a light thing. That warrant article that asked the people to give Bear Paw development rights, easement rights, never told the voters that they were going to become secondary in any decision-making on the properties.

Remember, all of the current-use penalty that the town gives, fifty percent of every penalty that comes in is taxpayer money that would reduce taxes if it didn't go to them to buy development easement rights.

She stated that she is really, very much opposed to LCHIP having primary decision-making.

Ms. Cady asked if the town knew how much glass tonnage that we get rid of in a year to Northeast Resources to which Chairman Pitman stated that he would find out.

Also, on the auction, back when she got the inventory of the police department, they had jewelry, they had bicycles, they had so many things, it was impossible to list them all. Tools, hunting knives and all kinds of stuff that the police picked up or was given to the police as found so they really could have an auction.

Beyond that, she thought if they had an auction and anything was left over, like at auctions when you go to them, they will put things in a box that nobody bid on and say "how much is my bid for the box". It might get a dollar, it might get \$5.00. She feels that the people of the town should have the right to any of the disposal of the stuff that has been paid for with our taxes before it goes anywhere.

An auction is the fairest way of making sure it gives everybody an equal right to access it.

Motion: Vice Chairman Robertson moves to adjourn at 5:57 p.m.

Second: Selectman Shute

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

Discussion: Next Meeting: Monday, November 5, 2018 at 5:30 pm

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