

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
December 19, 2011
MINUTES**

Call to Order

5:30pm: Chairman, John Reagan called the meeting to order.

Pledge of Allegiance to the Flag

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

Present: John Reagan, Chairman; Alan E. O'Neal, Vice Chairman; Stephen R. Barry, Bill Perron and R. Andrew Robertson, Selectmen

Also Present: Leslie A. Boswak, Town Administrator,

Regular Business

- Farmer's Market Association

Missy Perron, appeared on behalf of the Deerfield Farmers Market Association. She requested that the Board allow the Summer Farmer's Market to be held on Town property in front of the GBW building, rather than across the street in the ride share lot. The suggested location will allow better use of parking, set up of the vendors, and will keep shoppers from having to cross the road. Selectman Robertson agreed that he prefers this side of the street, as the area across the road is gravel and has an unclear entrance/exit. Selectman Perron indicated there would be room for about 20 cars using the GBW Parking Lot and that Market Vendors will park across the street.

Motion – Selectman Robertson made a motion to approve the use of the GBW Parking Lot for Summer Farmer's Markets

Second – Selectman Barry

Vote – All in Favor – Motion Carries

- Conservation Commission

Representative from the Conservation Commission Serita Frey was present with Mr. and Mrs. Fred McGarry regarding the donation of a conservation easement on their property to the Town. The McGarrys have been working with the Conservation Commission along with legal counsel to draft the appropriate documents and are before the Board tonight to request their approval of said documents.

Motion – Selectman Robertson made a motion to accept and sign the easement as presented

Second – Selectman Barry

Discussion – Vice Chairman O'Neal noted that the property has an easement as relating to the O'Neal property and asks how that easement will be affected by the donation. Mr. McGarry responded that he does not think it will be affected at all, that the right of way will go with the property when it changes hands.

Vote – All in Favor – Motion Carries – On behalf of the town Chairman Reagan thanked Mr. and Mrs. McGarry for their generous donation.

- Outstanding Minutes – December 5th and December 12th

Motion to approve as written – Selectman Robertson

Second – Vice Chairman O'Neal

No Discussion – All in Favor – Motion Carries

- Accounts Payable - \$28,202.89

Motion – Vice Chairman O'Neal moved to approve

Seconded – Selectman Robertson

No Discussion – All in Favor – Motion Carries

- Notice of Intent to Cut Wood or Timber (Cannon property on South Road, Archer property on Middle Road, Barnard Property on Harvey Road and Burbank property on Coffeetown & Perry Road)

No Discussion – Documents signed by Chairman Reagan

- Warrant for the Collection of Land Use Change Tax in the amount of \$4,200

Motion to Approve – Selectman Barry

Seconded – Vice Chairman O'Neal

No Discussion – All in Favor – Motion Carries

- Request of Refund Checks as follows: \$298.50 to Alice French; \$136.65 to Maureen Platt; \$26.66 to Andrew Smellie; \$13.87 to Thomas Milianes

Motion to Approve – Selectman Barry

Seconded – Vice Chairman O’Neal

No Discussion – All in Favor – Motion Carries

- Cash Policy

At the request of the Town Audit a Cash Policy has been drafted by the Town Administrator and presented for the Board’s approval.

Motion – Vice Chairman O’Neal moved to approve the policy as written

Second – Selectman Robertson

No Discussion – All in Favor – Motion Carries

- Town Hall Usage Fee Waiver – Friends of the Library – March 17th, for the Cabin Fever Arts Fair

Motion – Selectman Barry made a motion to waive the fee as requested

Seconded – Selectman Robertson

No Discussion – All in Favor – Motion Carries

- Chief of Police – Request to carry forward 24 hours of vacation time in addition to the 80 allowed

Motion to Approve – Selectman Barry

Second – Vice Chairman O’Neal

Discussion – Chairman Reagan would like to see the Chief use the time this calendar year – especially in light of the recent department promotions that were approved as there are now new Sergeants available to cover his duties. Selectman Barry noted that this has been allowed in the past and does not have a problem with allowing.

Vote – In Favor: 4, Opposed: 1 – Motion Carries

Unfinished Business

Selectman Barry informed the Board that the Municipal Budget Committee had met on Saturday, December 10th and has approved the Town Budget with two minor corrections. \$495 was removed from the Library budget and \$30 added for the LGC Dues, resulting in a total proposed 2012 Budget of \$3,432,213.

Motion – Selectman Barry moved that the Board of Selectman approve the 2012 Budget of \$3,432,213

Second – Selectman Robertson

No Discussion – All in Favor – Motion Carries

Town Administrator’s Report

- The Road Agent has requested to pre-buy Salt and Sand, currently there is \$24,585.13 and \$8,186.18 in the Salt and Sand lines respectively. Does the Board wish for him to buy?

Motion – Selectman Barry made a motion to allow the Highway Department to pre-buy Sand and Salt

Second – Selectman Robertson

Discussion – Vice Chairman O’Neal noted that pre-buying is different than stock piling in the sheds and asked if there was an advantage to pre-buying the materials other than using 2011 dollars. He noted the funds are available only because they were encumbered from the 2010 budget – approximately \$32,000 was rolled forward from 2010 and that is what is available now, it looks like a wash. Selectman Barry expressed that it is a commodity that will not expire and that there will always be a need for. Vice Chairman O’Neal asked what the terms and conditions of the contract are. L. Boswak answered that the funds are placed on account and pull from a blanket order. There is no cheaper rate afforded the Town as the rates are set under State contract.

Vote – In Favor: 4, Opposed: 1 – Motion Carries

- The Town Administrator has drafted a Fill Disposal Policy and would like the Board’s Comments. Selectman Barry commented that for years, disposal of fill has been done at the discretion of the Highway Agent and he feels it should continue that way. He would be in favor of publishing a Public Notice informing residents to seek out the Highway Agent if they have a need for fill, does not feel a formal written policy is necessary. Vice Chairman O’Neal does feel there is a need for a written liability waiver in case the Highway Department was ever to contaminate, crush or destroy something on private property. Selectman Robertson agreed, stating he would be interested in some sort of Hold Harmless language. The Highway Agent should still handle, but a written waiver for the fill recipients to sign would be appropriate. Selectmen Barry and Perron agree. L. Boswak will redraft the language and the Board will revisit at their next meeting.

- Town has received letter from a Deerfield resident whose property falls both in Deerfield and Northwood requesting the Town and County boundaries be changed so that the property lies entirely in Northwood. Board will review correspondence and provide direction to Town Administrator at next meeting.
- Tax Collector has notified the Town that the December 2011 Taxes are 91% collected.
- A representative from the Board is needed in preparing the 2011 Town Report.
- There is a meeting scheduled for January 12th at the Town Hall to discuss a possible Scenic Byway running through Deerfield, Candia, Raymond, Northwood and Nottingham – all are encouraged to attend.
- The Board has been presented with an Ordinance relating to parking violations at Veasey Park. The amount of the proposed fine has been reduced from \$50 to \$30.
- Encumbrances Requested:
 - o Tax Collector - \$500 for record retention and the digitizing of data
 - o Assessing - \$10,503.12 to perform cyclical assessments. Cost is expected to be \$14,700/year with a four year rolling schedule – will be significant savings in data entry and contracts.
 - o Planning Board - \$2,000 to complete phase 2 of the Site Evaluations as discussed and \$1,000 towards contract obligations
 - o Insurance - \$6,000 for outstanding claims not yet received for 2011
 - o Transfer Station - \$16,000 for painting and sandblasting as has been discussed
 - o Rescue Squad - \$1,000 for the purchase of an AED, \$2,750 for training (ice required), and \$2,500 for the purchase of 200 metal posts and numbers as required.

Motion: Selectman Barry made a motion to approve the encumbrances as described
Second: Selectman Robertson
Discussion: Selectman Barry asked what the plan for implementing the house numbering was. L. Boswak responded that there has been discussion of creating an ordinance, there is lots to consider, Fire and Rescue volunteers have offered to oversee installation.
Vote – All in Favor – Motion Carries
- Next Board of Selectman meeting is scheduled for December 27th at 8am, the offices will be closed Monday for the Holiday. A meeting will be posted for Thursday, December 29th to address any last minute year end items, if not needed the Town Administrator will post to cancel.

Other Business

Selectman Robertson noted the passing of Elsie Brown.

New Business

Chairman Reagan recognized three members of the Police Department receiving longevity awards. Chief Michael Greeley, Detective Sergeant Daniel Deyermond and Sergeant Michael Lavoie have been with the Department for 10 years. All three were hired in December of 2001.

Citizens Comments

H. Cady commented that the assessing was done two years ago in April and at a recent Avatar conference she attended the Town was currently 9% over assessed. The State can order a complete revaluation at 10% over assessed. She feels the original revaluation done in 2009 was not done properly – would suggest that the Town create a Board of Assessors, as Nottingham does, to oversee the Company doing Tax Assessments.

M. Mann asked if the Board has a position on the recent redistricting that will not give Deerfield its own Representative, but rather the town will share with Candia and Nottingham. Selectman Barry expressed that he personally is not happy with the decision and feels that as the population qualifies for its own Representative that Deerfield should have its own. Selectman Robertson agreed, but indicated the Board had not taken a formal position.

Motion: Selectman Barry made a motion that the Board of Selectman communicate to the Committee expressing its opinion on the matter.

Second: Selectman Robertson

Vote – All in Favor – Motion Carries

Nonpublic Session:

6:15 p.m. Vice Chairman O’Neal made a motion to enter a Nonpublic Session under RSA 91-A:3, II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body,

until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph. Seconded by Selectman Barry.

Roll Call Vote: Perron-Yes; Barry-Yes; Robertson-Yes; O'Neal-Yes; Reagan-Yes

The Selectmen read correspondence from Avitar about their recommendations for two Board of Land and Tax Appeals cases. Avitar recommends reducing the value on the Isabella Revocable Trust from the amount of \$279,400 to a value of \$229,400 for the years 2010 and 2011. Avitar further recommended that the value on Aaron Cady's property be reduced from a current value of \$263,100 for 2010 to \$242,500 and the value for 2011 be reduced to \$146,400.

Stephen Barry motioned to exit non-public session. Vice Chairman seconded the motion. Vote: All in favor.

6:18 p.m. The Nonpublic Session ended.

No Action/No Decisions:

It was noted that no action was taken or decisions made within the Nonpublic Session.

Motion: Selectman Barry moved for the record that no action was taken and moved to accept the recommendation of the Tax Assessor in regards to the properties as follows: 2010 Tax Year – Aaron Cady – 28 Old Center Road
2011 Tax Year – Aaron Cady – 28 Old Center Road
2010/2011 Tax Year – Isabella Revocable Trust – 1 Charlie Lane

Second: Selectman Robertson

Vote – All in Favor – Motion Carries

Meeting Adjourned

Motion – Selectman Barry

Second – Selectman Robertson

All in Favor - The December 19, 2011 meeting is adjourned at 6:20 p.m.

Next Meeting Tuesday, December 27th at 8:00 am

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