

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
January 13, 2014
MINUTES**

Call to Order

5:30pm: Chairman, Steve Barry called the meeting to order.

Present: Steve Barry, Chairman; Alan O'Neal, Vice Chairman; Rebecca Hutchinson, Richard Pitman and R. Andrew Robertson Selectmen

Also Present: Jan Foisy, Finance Director; Alex Cote, Highway Agent

Pledge of Allegiance to the Flag

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

Scheduled Appointments

Jeffrey Nichols – Road Condition

J. Nichols expressed his concern with the winter road conditions on Mt. Delight and Haynes Rd, he feels these roads are not being kept clear of snow and ice to the standards that other roads in Town are meeting. He referenced specifically the storm on January 2nd and 3rd where inattention to the road resulted in a snowpack surface that Saturday, January 4th, posing significant danger to those traveling the road. Alex Cote spoke that during the storm in question Mr. Rollins, who is responsible for that route, had some troubles with his truck and then apparently decided to go home during the storm. As a result the Department was forced to scramble to find trucks and drivers to cover the roads. Chairman Barry asked for the Road Agent's suggested course of action and A. Cote responded that he feels they may need to replace a contractor. Vice Chairman O'Neal asked whether Mr. Rollins had been made aware of tonight's meeting, A. Cote answered that no, he did not believe so.

Selectwoman Hutchinson suggested that the Road Agent follow up with the individual involved immediately. Vice Chairman O'Neal agreed, stressing the need to document in writing, all discussions and any action taken. Selectman Robertson spoke in favor of voiding the Plowing Contract as the conditions are not being met. Chairman Barry asked the Road Agent to begin to research the availability and interest of other contractors to take over the route. A. Cote agreed and will look to schedule a meeting with Mr. Rollins and any available members of the Select Board on Thursday, January 16th at 4:30p. The Board will plan to re-read the plowing contracts and will draft a communication to Mr. Rollins that the contract is "suspended pending a meeting with the Road Agent and Board of Selectmen." A. Cote provided Mr. Nichols with a copy of the Town's Snow and Ice Removal Policy.

Alex Cote – Highway Agent

A. Cote asked the Board whether or not Millstone Lane is a Town road? He has been told that there was a court case that ruled Millstone Lane is not a Town Rd. Vice Chairman O'Neal spoke that there was a lengthy court case, but that whether or not Millstone Lane was a Town Road was not part of that. Currently Vice Chairman O'Neal, as a resident of the road, plows and the Town sands. Selectman Robertson asked how the road is identified on the Town's listing and A. Cote answered that he believes it is listed as a Town road. The Board agreed that it will research whether the road was ever accepted formally by the Town and in the meantime will continue to treat it as if it is.

A. Cote informed the Board that there has been some trouble with the Winter Sand being provided under contract by Merrill. The product is of poor quality; it is freezing in clumps and appears to have clay in it. He has spoken with Merrill and they invited him over to see the process for screening, they insist that the sand meets DOT specifications. Alex understands that other Towns using sand from Merrill have had similar problems. The Board asked the Road Agent to send a letter in writing to the vendor describing the issue, asking them to verify that the sand meets DOT specs and putting them on notice of the Towns dissatisfaction.

Vice Chairman O'Neal asked when the Department will be moving the chipper into the Town shed, A. Cote answered that he is waiting to connect with Chief Tibbetts to do so.

Denise Greig – Emergency Management

D. Greig updated the Board that she has solicited three bids for work to be done in updating the Emergency Operations Plan (EOP), two of those received were able to do so for the amount available through the emergency management planning grant. She recommended the Town move forward in contracting Hubbard Consulting to do the work.

Motion: Vice Chairman O’Neal moves to award the EOP Update Proposal to Hubbard Consulting Group in the amount of \$2,500

Second: Selectman Robertson

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

D. Greig also spoke on the issue of ADA Access to the Welfare Office. She noted that should an individual in a wheel chair need to speak with her, they currently are using the bathroom as a confidential and ADA accessible space. Chairman Barry suggested that relocating the Welfare Offices to the space on the ground floor currently occupied by the Supervisors of the Checklist may be a solution. Vice Chairman O’Neal asked whether there would be issues with the two groups sharing the space. The Board will look into the issue further and follow up with Ms. Greig.

Cheri Sanborn

6:04pm Adjournment to Non-Public Session RSA 91-A:3, II a & c

Motion: Vice Chairman O’Neal moves to enter into a Non-Public Session under RSA 91A:3 II a & c

Second: Selectman Robertson

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

6:24 pm Reconvene

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

Motion: Vice Chairman O’Neal moves to seal the minutes from the Non-Public Session

Second: Selectman Robertson

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

Kim Craven - PSSG

6:26pm Adjournment to Non-Public Session RSA 91-A:3, II a, b & c

Motion: Vice Chairman O’Neal moves to enter into a Non-Public Session under RSA 91A:3 II a, b & c

Second: Selectman Robertson

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

7:30pm Reconvene

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

Motion: Selectman Robertson moves to seal the minutes from the Non-Public Session

Second: Selectwoman Hutchinson

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

Warrant Articles

1. To establish a Capital Reserve Fund for the purpose of purchasing Fire Apparatus & Equipment and to place \$50,000 in such fund.

Motion: Selectman Robertson moves to recommend the Warrant Article as read

Second: Vice Chairman O’Neal

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

2. To raise \$35,000 for the repairs of the GBW Building

Motion: Selectwoman Hutchinson moves to recommend the Warrant Article as read

Second: Selectman Robertson

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

3. To raise \$25,000 to be placed in the Capital Reserve fund previously established for repair of Municipal Government buildings and infrastructure.

Motion: Selectman Robertson moves to recommend the Warrant with the amendment that language be added that the funds will come from the December 2014 fund balance with no money to be raised from taxes

Second: Selectwoman Hutchinson

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

4. To raise \$10,000 to be placed in the Capital Reserve Fund previously established for the purchase of Rescue Vehicles and Equipment
Motion: Vice Chairman O’Neal moves to recommend the Warrant Article as read
Second: Selectman Pitman
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries
5. To raise \$67,000 for the lease/purchase of a new/used work plow truck.
Motion: Selectman Robertson moves to recommend the Warrant Article as read
Second: Vice Chairman O’Neal
Discussion: Chairman Barry spoke that the term “lease” needs to be removed from the language, or if the Town is looking to lease it must be listed only as a lease with the terms of the lease detailed out. If the Town were to lease the terms are specific to a F550, five lease payments would total \$74,025, versus the cost of \$67,000 to buy outright. Vice Chairman O’Neal spoke that he would not support pursuing a lease option. Selectwoman Hutchinson asked, if pursued as a purchase, would the Article need to receive a 2/3 majority to pass, Chairman Barry answered that a purchase needs just a majority vote.
Selectman Robertson amends his previous motion to remove the word “lease” from the Warrant Article
Second: Vice Chairman O’Neal
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries
6. To raise \$94,000 for the purchase of a new/used Excavator
Motion: Selectman Robertson moves to recommend the Warrant Article as read
Second: Vice Chairman O’Neal
Discussion: A. Cote asked, in lieu of the recent issues the Department has had, that this Warrant Article be changed for the purchase of a Loader. Vice Chairman O’Neal asked whether the same amount of money would be appropriate, A. Cote answered yes. He added that the Town can rent an excavator during the summer months, but that a Loader is critical to the year round operation of the Department.
Selectman Robertson amends his previous motion to exchange “Loader” for “Excavator”
Second: Vice Chairman O’Neal
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries
7. To raise \$42,000 for the purchase of a new/used command vehicle for the Fire Chief
Motion: Selectman Robertson moves to recommend the Warrant Article with the amendment of removing “new” from the language
Second: Vice Chairman O’Neal
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries
8. To form a 250th Anniversary Committee
No formal action taken
9. To rescind the provisions of RSA 40:13, known as SB2
Motion: Selectman Robertson moves to recommend the Warrant Article
Second: Selectman Pitman
Discussion: Chairman Barry expressed his concern that SB2 is not working, he feels the Town is not getting participation from the community at large and that citizens are not as informed as they were when a Town Meeting was held. Selectwoman Hutchinson agreed, adding that she feels the Town has lost a tremendous amount of engagement with the voters. Chairman Barry added that he feels it is the responsibility of the people of this Town to participate in government.
Vote: Yea 4, Nay 1, Abstained 0 – Motion Carries
10. To establish a revolving fund for the Special Detail payments received through Public Safety Services
Motion: Selectman Pitman moves to recommend the Warrant Article
Second: Selectman Robertson
Discussion: Selectwoman Hutchinson asked if the language presented was written as a requirement. Chairman Barry confirmed yes. J. Foisy spoke that a more clear explanation can be presented in the voter’s guide, but that the Board cannot advocate for or against an item in the language of the Article. Chairman Barry spoke of the Board’s need to do a better job in communicating the intent of this item.
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

11. The Board expects a Warrant Article from the Conservation Commission with \$10,000 associated with it – it will be voted on by the Commission at their meeting tonight.

Encumbrances

The following adjustments need to be made to encumbrances previously voted on by the Board:

Information Technology - \$1,418.08 reduce to \$1,395

Motion: Selectman Robertson moves to approve

Second: Vice Chairman O'Neal

Vote – All in Favor – Motion Carries

Library - \$7,537 reduce to \$6,537

Motion: Selectman Robertson moves to approve

Second: Selectwoman Hutchinson

Vote – All in Favor – Motion Carries

Police Department - \$869.89 reduce to \$863.40

Motion: Vice Chairman O'Neal moves to approve

Second: Selectman Robertson

Vote – All in Favor – Motion Carries

Information Technology - \$2,372.86 reduce to \$2,364.93

Motion: Selectman Robertson moves to approve

Second: Vice Chairman O'Neal

Vote – All in Favor – Motion Carries

Regular Business/Signatures

- Minutes December 30, 2013

Motion – Selectman Robertson moves the minutes as written

Second – Vice Chairman O'Neal

All in Favor – Motion Carries

- Payroll Manifest - \$28,104.89

Motion – Vice Chairman O'Neal moves to approve the payroll manifest

Second – Selectman Robertson

All in Favor – Motion Carries

- Notice of Computer Adjustment: Tom Jacob, 40 Pine St, Manchester, NH, \$45.00 for 2012 tax year on map 418 lot 79-17

Motion – Selectman Robertson moves to approve

Second – Vice Chairman O'Neal

All in Favor – Motion Carries

- Notice of Intent to Cut Wood or Timber – Russell Jeffers, Middle Road

Signatures Executed

- Permit Application, Property Tax Credit - \$500 Veterans Tax Credit for Herbert McKinney, Wild Turkey Rd

Motion – Vice Chairman O'Neal moves to approve

Second – Selectman Robertson

All in Favor – Motion Carries

- Permit Application, Property Tax Credit - \$500 Veterans Tax Credit for Peter LaFlamme, Old Centre Rd

Motion – Vice Chairman O'Neal moves to approve

Second – Selectwoman Hutchinson

All in Favor – Motion Carries

- Permit Application, Property Tax Credit - \$500 Veterans Tax Credit for Christopher Bartley & Mary Helen McDowell, Haynes Rd

Motion – Vice Chairman O'Neal moves to approve

Second – Selectman Robertson

All in Favor – Motion Carries

- Permit Application, Property Tax Credit - \$500 Veterans Tax Credit for Richard & Janice Clark, Ridge Rd

Motion – Selectman Robertson moves to approve

Second – Vice Chairman O’Neal

All in Favor – Motion Carries

- Permit Application, Property Tax Credit - \$500 Veterans Tax Credit for John Edgett, South Rd

Motion – Vice Chairman O’Neal moves to approve

Second – Selectwoman Hutchinson

All in Favor – Motion Carries

- Land Use Change Tax – \$6,000 to Matthew & Diane Vesci, 110 Old Centre Rd

Motion – Selectman Robertson moves to approve

Second – Vice Chairman O’Neal

All in Favor – Motion Carries

- Land Use Change Tax – \$500 to Daniel Livingston, 70 South Rd

Motion – Selectman Robertson moves to approve

Second – Vice Chairman O’Neal

All in Favor – Motion Carries

- Request for Vacation Hour Carry Over – Dan Deyermund

Motion – Vice Chairman O’Neal moves to approve the carryover in addition to the 80 hours allowed under policy

Second – Selectman Robertson

Discussion – Selectwoman Hutchinson asked whether the time needed to be used before a given date, J. Foisy answered anytime within the 2014 calendar year.

Vote: All in Favor – Motion Carries

- Town Hall Rental Fee Waiver Request – Bernie Cameron w/ Humanities To Go Series on 4/7 and 6/8

Motion – Selectman Robertson moves to grant the waiver

Second – Selectman Pitman

All in Favor – Motion Carries

Non-Contemporaneous Business – January 3, 2014 with three Board members present

- **Payroll Manifest - \$56,220.93**
- **Accounts Payable - \$59,161.71**

Review of Correspondence

Chairman Barry noted that the Planning Board will hold a Public Hearing regarding proposed Zoning Ordinance Changes on Tuesday, January 21st at 7p

The Board is in receipt of letters of resignation from Cheri Sanborn and Meredith Briggs of the Supervisors of the Checklist. Selectwoman Hutchinson suggested the Board compose a letter thanking the individuals for their service, the Board agreed.

Chairman Barry read aloud a letter from Mr. Barry Atwood of Mountain Road commending the Highway Department for its excellent road maintenance. He spoke highly of the contract responsible for maintaining the road.

Unfinished Business None

Town Administrators Report

J. Foisy informed the Board that Don Watts has expressed an interest in joining the Cemetery Commission, she will get an appointment form in place as soon as possible. She reminded the Board that the MBC will be holding its Public Hearing tomorrow, January 14th at 6p at the Town Hall. She asked whether the Board would like another meeting to go over remaining Warrant Articles and the Default Budget before they are required to be posted on January 27th. They agreed that it would all be addressed and finalized on the 27th.

Selectman Pitman asked whether the Fair Association had been notified of the way taxes will be handled on buildings at the Fair Grounds, J. Foisy answered that Penny is working on this. Selectman Pitman indicated that the change was not received well by the Fair Association and that they would like to discuss the issue further with the Board.

Other Business None

New Business None

Citizens Comments

Gary Sanborn asked why the Town would pay to rent a Loader for the Highway Department when it owns one at the Transfer Station. Chairman Barry answered that the loader at the Transfer Station is expected to last 20 years and was purchased specifically for use with that Department. The Board will consider using it for other jobs in an emergency situation, but it was purchase specifically for the Transfer Station. Mr. Sanborn responded that while he understands the logic, it seems to be a significant amount of money being spent when there is a Loader sitting idle in Town several days of the week.

J. Foisy informed the Board that she has been approached by Rick regarding the long compactor trailer. The equipment is nearing the end of its life and he will be bringing forward details on a long term contract for use of a new trailer.

Don Daley asked whether the Board will have a final default budget number for the MBC Public Hearing. Chairman Barry responded that no, only a draft number will be available by tomorrow. Mr. Daley stressed that it may be important as the number is a part of the Warrant Article they will be voting on.

Selectman Pitman spoke to publically thank the Plow Contractors in attendance for the work they have done on the Town roads thus far this season. They were recognized with a robust round of applause by those in attendance.

Adjournment

Motion – Vice Chairman O’Neal moves to adjourn the meeting of January 13, 2014

Second – Selectman Robertson

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

Meeting Adjourns at 7:25p

Next Meeting Thursday, January 16th @ 5:30pm

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