

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
February 24, 2014
MINUTES**

Call to Order

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

Present: Steve Barry, Chairman; Rebecca Hutchinson, Richard Pitman and R. Andrew Robertson

Absent: Alan O'Neal, Vice Chairman

Also Present: Michael Wright, Town Administrator and Jan Foisy, Finance Director

Pledge of Allegiance to the Flag

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

Scheduled Appointments

Mark Tibbetts – Fire Chief

Chief Tibbetts spoke to the Board that the Fire and Rescue Squads will be seeking permission to start planning for the building of additional facilities at the current site. He noted that the building of a Safety Complex is something that has been pursued, and voted down, for some seventeen years. The Rescue and Fire Squads have discussed the issue and feel that something really needs to be done, immediately, to expand on the space where they work. They have discussed expanding the current location to include a garage with three double bays, offices, a locker room and a meeting space. He added that the leech field and septic system at the current building is the first item to be addressed and estimated that the improvements could be made for a cost of \$400,000-\$500,000. It has been suggested that the Fire and Rescue Associations would gift the land to the Town for the location of the addition.

Selectwoman Hutchinson asked when Chief Tibbetts expects to have initial plans laid out, he answered that he anticipates the proposal being ready by July or August of 2014. Selectwoman Hutchinson encouraged the Rescue and Fire teams to push up the planning as early as possible so that all can be fully vetted well in advance of the Deliberative Session. The Board concurred and Chairman Barry added that he would advise the Associations take a formal vote on the transferring of ownership of the land as soon as possible.

Executive Counselor Chris Pappas

Chris Pappas, Executive Counselor with District 4 introduced himself and explained that he is visiting each Town within the district to check in, offer his services and provide an update on the Council's work. He noted that recently the Office has been dealing with transportation issues and has presented a 10 year Highway Plan to the legislature. There is one project in Deerfield included in the plan, planned for 2022 is work to the Route 107 Bridge at Freeses Pond at an estimated cost of \$1.5 Million. Counselor Pappas spoke that the bridge is #50 on the State's list of Red List Bridges.

The Board thanked Mr. Pappas for his comments. M. Wright communicated the Town's position that it has not fully recovered from recent changes to the State Retirement System. He spoke that many programs are experiencing a shift in responsibility from the State to Local Municipalities. M. Wright added that the Town is concerned with over-regulation, adding that small communities such as Deerfield do not always have the same needs as some of the larger communities in the area. Finally, M. Wright expressed the concern with the short notification the Town receives when items are coming before the legislature and the Executive Council is seeking Town input. He feels the input is important and valuable, but that often there is not enough notice given to allow for a response to be properly formulated. Mr. Pappas thanked the Town for its feedback.

Robert Mozer

Motion: Selectman Robertson moves to enter into a Non-Public Session under RSA 91-A: III a

Second: Selectwoman Hutchinson

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

Reconvene

Chairman Barry notes 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: Selectman Pitman

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

Recess to Public Hearing

Public Hearing – Warrant Article #10 to Rescind RSA 40:13 (SB2)

Chairman Barry notes for the record that a quorum of the Select Board, along with two members of the School Board, is present to receive Public Comment on Warrant Article #10. He read a letter from resident Joanne Wasson expressing her opposition to the rescinding of SB2, stating that SB2 allows for more participation in the voting process. Harriet Cady concurred with the correspondence and asked what provisions the Town would make for people who are physically unable to be present at day-long Town Meeting. Chairman Barry and Selectwoman Hutchinson spoke that they would do everything possible to make Town Meeting accessible to anyone who wants to attend.

Selectman Robertson spoke that his support for reversing SB2 is in seeking to enhance communication between the governance of the Town and the citizens. He prefers the ability to speak directly with voters as they are voting at the Town Meeting. Resident Kevin Verville spoke in support of SB2, he feels that the Deliberative Session format allows time for voters to be educated and then have a period of time to weigh their decision before casting a ballot. Chairman Barry also expressed his support for the Town Meeting, he noted that attendance at tonight's meeting is the largest it has been in years and that generally the Board is not getting the input it needs from citizens to do its job. Under SB2, Chairman Barry spoke, that the Board presents its Budget and receives a "yes" or "no", whereas at a Town Meeting they are allowed the opportunity to hear alternative suggestions and find compromise.

Bill von Hassel asked, if feedback and input is important, what has the Board done to foster input from the Town aside from its obligatory meeting schedule? He voiced his concern that it has never been harder to get in front of the Select Board than it is now. Patrice Kilham suggested, since electronic communication seems to be the preferred means of receiving information that the Town do more to push out meeting minutes by email so that voters might be better informed of what is going on. Fred McGarry spoke in favor of the Town Meeting format, adding that he attends the Deliberative Session and finds it to be entirely anti climatic as there is no format for expressing new ideas or amending the current proposals. Maureen Mann posed two rhetorical questions; she asked how many of those in opposition to the Town Meeting lived in Deerfield when it the meeting took place. She also wondered where people are getting their information in order to make informed votes. If more than 1,000 people are voting, yet less than 100 attend the Deliberative Session, she would ask what they are basing their votes on and asked whether it might be appropriate to move to an Alderman form of governance where the elected officials decide the Town's budgets. Mr. Verville spoke that information is readily available for those who want it, he referenced the posting online of meeting minutes and the meetings broadcast on the public access channel.

Jack Hutchinson spoke in favor of the Warrant Article. He voiced that SB2 seems to put the right to vote over the responsibility of citizenship. He spoke of the need of citizens to exchange knowledge and engage in the deliberative process. He feels that since SB2 Deerfield has become more divided as a community and that the current format does not allow voters to find compromise.

Ms. Kilham asked whether any research has been done of Towns who have reinstated the Town Meeting and their success and/or struggles. The Board agreed that finding another Town to use as an example would be valuable information. Chairman Barry asked for a show of hands of those for and against the repeal of SB2 and approximately three-fourths of those present raised their hands in support of a return to the Town Meeting. School Board Member Debbie Kelly spoke in favor of repealing SB2; she felt that a Town Meeting fosters an important sense of community. She agrees that everyone has the right to vote, but stressed that by losing the meeting an important part of the community has also been lost.

Chairman Barry closed the Public Hearing by stating that Government is the responsibility of everyone, and that it is not supposed to be easy.

Reconvene

Regular Business

-Minutes February 10, 2014

Motion – Selectman Pitman moves the minutes as written

Second – Selectman Robertson

Vote to Approve – All in Favor – Motion Carries

-Accounts Payable - \$60,481.98

Motion – Selectman Robertson moves to approve

Second – Selectman Pitman

All in Favor – Motion Carries

-Permit Application – Veteran’s Tax Credit for Elizabeth Ferguson

Motion – Selectman Robertson moves to approve

Second – Selectman Pitman

All in Favor – Motion Carries

-Non- Contemporaneous Business – Approved February 13, 2014 – with three Board members present

- **Payroll Manifest - \$53,018.81 (net \$39,682.41)**

- **Accounts Payable - \$548,910.69**

-Pre-Audit Attestation

Motion – Selectman Robertson moves the Chair sign the form stating the Board has no knowledge of financial impropriety or fraud in the municipality

Second – Selectwoman Hutchinson

All in Favor – Motion Carries

Unfinished Business

Selectwoman Hutchinson, having reviewed the February 10th minutes, voiced her concern that the Board was not engaged in the Police Chief Interview process on Saturday. She was unclear what number of candidates would be presented to the Board and is concerned with the lack of involvement in the process thus far. Chairman Barry echoed the concern and added that he has asked, through the Town Administrator, that PSSG provide the Board copies of all applicant resumes to review. M. Wright has passed the concern along to PSSG and suggested that the Board meet with PSSG on March 3rd to be updated on the process and hear their suggestions for going forward. The Board agreed. Additionally, M. Wright asked that the Board make a decision on the status of the Chief position, whether it will be considered on a part time or full time basis. He indicated that the outcome of that decision could have some impact on the available pool of candidates. Selectman Robertson spoke that he has thought about the topic and is much more in favor of a full time position. Selectwoman Hutchinson agreed, Chairman Barry spoke that the Board will wait until Vice Chairman O’Neal is present to take a formal vote, but asked that M. Wright pass along the general sentiment.

Town Administrator’s Report

- M. Wright informed the board that the Tax Payer currently on a payment plan with the Town for delinquent taxes is currently on plan and paying in accordance with the agreement.
- The Board has in its folders a copy of the Joint Loss Management Committee Meeting results, he will work with Kelly to supervise those activities.
- The Ridge Road item continues to be researched and the Board will be scheduled to speak with the interested resident at the March 10th meeting.
- As was covered under Unfinished Business, the Board has executed the pre-audit fraud letter, and M. Wright is in receipt of the Chief of Police resumes.
- The Board may want to prepare for the possibility of how it will operate under the default budget going forward.
- The Highway Department’s salt budget has been spent in entirety, they are scheduled to receive additional shipments and for the time being this will be indicated as an overage on that budget line. The Board will need to decide how to allocate that cost after March 11th.
- The Annual Report is coming along and will be going to the printers this week, the Voter’s Guide will be mailed the end of next week and includes additional information on the Used Loader proposed for the Highway Department.
- M. Wright has done additional research on a 457B plan offering that can be offered to employees without a matching contribution from the Town. He would suggest that the Board schedule a time where the company

representing the plan can present information to either the Board or all Town employees. He is continuing to research the question as to how the Town might have its own Pension Plan independent of the State Pension Plan.

- M. Wright is continuing to look into the issue with the County Attorney's Prosecution services. The Town has seen a 50% increase in the cost of that service. Three go-forward options are to continue with the County Prosecutor at the increased cost, to acquire an internal prosecutor or to contract with the third party firm for the services to be billed at an hourly rate. M. Wright will approach the County to see about a month to month payment arrangement until a decision is made, he would expect the third party contract to be the most cost effective solution as Deerfield typically has a low volume of cases requiring those services.
- There is a conference May 1 and 2nd put on by the State of New Hampshire and to be held in North Conway. Jan will be attending and, as he is new to the SB2 process, M. Wright would like to also attend. Selectwoman Hutchinson asked what the cost of the event was and whether there was a need to send two employees. J. Foisy answered that the cost is \$170 and that the program is very intense, she felt it would be very beneficial to have two employees attend. The Board agreed both should attend.
- Regarding the previously discussed request for input from the Department of Energy it appears Erik Berglund with the Heritage Commission will be the more appropriate contact person as opposed to the Conservation Commission.

Chairman Barry asked that M. Wright keep an ear out for any grants that may be applicable to the Fire/Rescue project that Chief Tibbetts presented. In closing Selectwoman Hutchinson asked that the Board formalizes plans for a 90 day review of the Town Administrator.

Motion: Selectwoman Hutchinson moves to do a formal 90 Day Review for the Town Administrator on or about the first meeting in May.

Second: Selectman Robertson

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

Other Business Selectwoman Hutchinson mentioned that she has been asked by a constituent what the status of the property off Middle Rd that had been considered for a new school was. Chairman Barry and Selectman Pitman responded that it is owned by the School District and is currently sitting unused.

New Business None

Citizens Comments

Harriet Cady asked that when Chairman Barry is describing business that was done extemporaneously that he specify "extemporaneously" or simply say that they Board members approved the business at different times. The current way it is stated makes it sound as if the Board members all met together to approve the business. Additionally, Ms. Cady spoke that she was surprised at a previous meeting to hear Michael Wright introduced as the new Town Administrator. She was not aware of any public meeting or vote and believes this is a violation of the Right to Know law.

Adjournment 7:12p

Motion: Selectman Robertson moves to adjourn the meeting of February 24th

Second: Selectman Pitman

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

Next Meeting Monday, March 10th @ 5:30pm

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