

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
November 3, 2014  
MINUTES**

---

**Call to Order**

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

**Present:** Steve Barry, Chairman; Richard Pitman, Vice Chairman; Rebecca Hutchinson, R Andrew Robertson and Jeff Shute Selectmen

**Also Present:** Michael Wright, Town Administrator; Cindy McHugh, Rescue Squad Captain; Mark Tibbetts, Fire Chief; Fred McGarry, Planning Board Chairman; Kate Hartnett, Bill Perron and Peter Schibbelhute, Planning Board Members; Rick Pelletier, Building Inspector

**Pledge of Allegiance to the Flag**

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

**Scheduled Appointments**

**Update – Rescue Squad**

M. Wright updated that he has met with Chief Tibbetts and Captain McHugh to communicate the response the Town received from insurance provider Primex regarding benefits for the Rescue Squad members. In general, so long as members are treated as employees coverage extends to them. There is the potential for coverage not to extend if the Association makes moves to isolate or disassociate itself as a Department of the Town. The issue can be clarified by vote before the Town. Selectman Robertson spoke that the Board's intent is to extend any and all coverage to the squad members, but noted the risk that, if there is a large claim, and the carrier sees a way by which to dispute it, they will likely do so. He asked whether the group could operate both its own Association and as part of the Town as the Fire Association and Fire Department Staff have done. C. McHugh received the letter from the Town detailing the response provided by Primex and will bring it before the Rescue Squad for a vote on how to proceed. Vice Chairman voiced his preference that the matter not drag on, all agreed settling the matter as soon as possible is a high priority.

**Regular Business**

**-Minutes of October 27, 2014**

**Motion** – Vice Chairman Pitman moves the minutes as written

**Second** – Selectman Robertson

**Vote to approve – Yea 5, Nay 0, Abstained 0 – Motion Carries**

**-Accounts Payable - \$36,629.05**

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

**Second** – Selectman Robertson

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

**-DRA – Tax Rate to be set at \$23.01 – Tax Collectors Warrant - \$6,552,364**

**Motion** – Selectman Robertson moves to sign the rate setting and to collect the taxes as stated

**Second** – Vice Chairman Pitman

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

**-Appointment of Armond Joplin as Inspector of Election – 8/1/2014 – 7/31/2015**

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

**Second** – Selectman Robertson

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

**Correspondence**

The Board received of a letter from Glenda Smith resigning her position with the Veasey Park Commission as she has recently relocated out of Town.

**Motion** – Vice Chairman Pitman moves to accept the resignation with regrets and to send a letter of Thanks to Ms. Smith for her service with the Commission

**Second** – Selectman Robertson

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

A letter was received from the Sea Coast Mental Health Center thanking Deerfield for its \$150 allocation to its operation.

### **Town Administrator's Report**

M. Wright presented the Board with a drawing of the sign improvements proposed by GBW Building tenant Country Cuts by Claire. There was some question as to whether or not the Town would subsidize a portion of this expense. Selectwoman Hutchinson spoke in favor of being consistent with what has been done in the past for other tenants, but felt it seemed reasonable to have the property owner bear some of the cost. Selectman Robertson spoke that, as a business owner, he has always born the cost of signage at properties where he is a lease. If the Town has not paid towards other tenants signage he would not be in favor of sharing the cost of this enhancement. The Board was in agreement. M. Wright will pass the sentiments along and confirm that the Board has OK's the sign design. Selectwoman Hutchinson made clear that she would like to see the entire sign for the building cleaned up in time for the 250<sup>th</sup> Anniversary Celebration in 2016.

M. Wright will make the Town Clerk aware that the Tax Setting Warrant has been approved. Publication of sheets will start on Wednesday and he expects bills to be mailed on Friday, November 7<sup>th</sup>.

The Fall Dam Maintenance Schedule is due to the State. The Water Commissioner is seeking approval to drain Freese Pond as low as possible to address the weed growth and to put new boards at the Dam in conjunction with that drawdown. Selectman Robertson recalled that in the past a quick drawdown has affected the wells of residents on the pond and would ask that the Commissioner be conscientious of this. The Board has no objections to the Dam Maintenance plan as presented so long as the Commissioner is continuously aware of the area resident's wells.

M. Wright will plan to attend a Broadband workshop on November 19<sup>th</sup>. This will be a partial day out of the Office and the workshop is free of charge.

### **Unfinished Business**

Selectman Robertson spoke that there are currently two proposals circulating for the planned expansion to the Fire Department. He feels it would be best to bring both proposals before the Board, for the Board to decide which it wants to support, and to then launch a full twelve-month campaign for the project. He feels the addition to the Fire House will be a tough sell to voters for this spring with two other building proposals being put forward as Warrant Articles and with the information coming so late in the budgeting season. All members concurred with Selectwoman Hutchinson stressing the need for enough time to gather community input. Chief Tibbetts asked that the Board schedule a work session where they can dedicate one to two hours to the discussion. The Board agreed and will schedule that session once the budget review is complete.

**Other Business** None

**New Business** None

### **Schedule Appointments Continued**

#### **Planning Board**

Members of the Planning Board were on hand to discuss a property on Route 107, best known as the former PK Lindsey Storage Building. F. McGarry provided a historical review of the property that has led to the current situation. The building was built in 1973 or 1974 prior to the time where the Planning Board was granted authority to require a site plan review on non-residential buildings. The property first came to the attention of the Planning Board when the business owner sought approval from the Building Inspector to expand a propane tank. Installation was approved and the Fire Chief conducted an inspection of the new tank. It became clear that the business owner's intent was to retail propane gas to the public, the Planning Board felt this was a change of use on the property and as such that a site plan review was required. The Board met with the business owner in September 2013. The intent was to establish a baseline of activities at the location, but the Board has since received no communication or response from the business owner.

Since September 2013 the Planning Board received a citizen complaint citing the driveway/parking lot access area of the property. It is believed that the Business Owner received approval from the previous Road Agent for the new driveway, but again failed to go before the Planning Board for a site plan review of the change. The Board, working with the Town Attorney, has sent the business owner a letter requesting a site plan review be initiated by October 1<sup>st</sup>. As that deadline has come and gone, they are now looking to take further action and ask for the Select Board's guidance with how to proceed with a cease and desist order for the driveway use, parking and propane sale to the public.

P. Schibbelhute voiced that the biggest frustration for the Planning Board is that they are looking to have a conversation. Without communication they cannot determine the best course forward. He added that just an appearance before the Board

by the business owner would go a long way. Selectman Robertson asked that additional information surrounding the terms of the driveway permit issuance be researched and asked whether there were any State level requirements for a business to sell fuel to the public? R. Pelletier answered that the only requirement is that a business use a licensed company to handle the installation of the tank and apparatus. This business contracted with Rhymes who pulled the necessary permits.

M. Wright stated he had been told that the alternate driveway was put in at the request of the State. There were safety concerns with the large vehicles backing out onto Route 107 and the alternate driveway was the compromise reached. The Public Works Department has provided a notarized document attesting to this and it should have been sent to the Planning Board. Planning Board members were unfamiliar with this correspondence.

It was agreed that the Select Board would send a letter asking the business owner to establish communication and cooperate with the Planning Board by November 30<sup>th</sup>. If the Business Owner fails to do so, the letter will indicate that the Town will consider issuing a Cease and Desist order on the activities at the property. All agreed that the emphasis would be on establishing communication.

In other business, the Select Board notified the Planning Board of a letter to accept Browns Mill Road, Corey Drive and Hidden Drive as Class V Roads. The correspondence will be forwarded to the Planning Board so that it may advise the residents of how to pursue the matter further. K. Hartnett asked for clarification on the Town's policy for accepting roads in Sub Divisions based on occupancy. It was believed acceptance was contingent upon the Sub Division being more than 50% occupied, the Board will get the specifics and written policy to Ms. Hartnett.

F. McGarry updated that the Planning Board plans to submit two Zoning Amendments to voters next Spring, one will be a change to the Pleasant Lake Watershed Ordinance that will look to address problems R. Pelletier has faced with enforcement. The second will be the Village District Ordinance. Chairman Barry spoke that the Select Board intends to get back into the practice of meeting with the Planning and Zoning Boards periodically.

#### **Citizens Comments**

David O'Neal spoke advised, as former Water Commissioner, that workers should use caution when pulling the boards at the Freese Pond Dam. Because the dam is not straight the boards need to be replaced in the exact order they were taken out. Speaking for the Deerfield Fair Association, Mr. O'Neal indicated that they will not provide the Town with a copy of the letter of agreement entered into with the private contractor as requested. He added that the contractor and his workers have been contacted and harassed by the Fire Chief, activities the Fair Association feels are highly out of line. Mr. O'Neal went on to say that the Town had sent two representatives during the final Fire Inspection walk through with the Fair. At the time three issues were cited, two of which were immediately addressed. The Fair communicated that it is difficult to enforce compliance with the final item if actions are not carried out by the Town. The Board would ask that a separate time be set to discuss the specifics of this final matter with the Fair Association.

Kathy Shigo spoke that she finds it wonderful the Planning Board is looking into the property at the intersection of Rt. 107. She would like to see a push to beautify the area in preparation for the celebration in 2016. Regarding the Rt. 107 property, Laura Hughes spoke that she does not believe the new driveway was the business owner's idea, but that it was proposed to him that it was needed. She feels it is wrong to criticize the owner for doing something the Town told him to do.

#### **Adjournment 6:33p**

**Motion:** Vice Chairman Pitman moves to adjourn the meeting of November 3, 2014

**Second:** Selectman Robertson

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

**Next Meeting Monday, November 17<sup>th</sup> @ 5:30p**

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