

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
December 29, 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: Jan Foisy, Town Finance Director/Interim Town Administrator; Penny Touchette, Bookkeeper/Assessing Supervisor

Pledge of Allegiance to the Flag

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

Scheduled Appointments

2015 Proposed Town Warrant Articles

\$73,000 for the construction of a metal storage building at the Highway Department

Motion – Selectman Robertson moves the Article as written

Second – Selectwoman Hutchinson

Discussion – Vice Chairman Pitman clarified that the exterior of the building will be metal, not the frame. Selectman Shute voiced his concern with putting so many Articles forward. He did not oppose the Highway Building specifically, but questioned whether it was appropriate to put so many items up for approval. Chairman Barry was in favor of putting all items forward as proposed by the applicable Departments and letting the voters decide. Selectman Robertson spoke in favor of the building, pointing out that it will better protect the Highway equipment the Town has invested significant money in.

Vote – Yea 4, Nay 1, Abstained 0 – Motion Carries

\$50,000 to be placed in the Fire Apparatus and Equipment Capital Reserve Fund

Motion – Vice Chairman Pitman moves the Article as written

Second – Selectman Robertson

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

\$42,000 for the purchase of a new Fire command vehicle

Motion – Selectman Robertson moves the Article as written

Second – Selectman Shute

Discussion – It was noted that this purchase was part of the 10 year Capital Improvement Plan for 2014. It was turned down by voters in the 2014 election.

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

\$40,050 to replace the windows and siding at the GBW Building

Motion – Vice Chairman Pitman moves the Article as written

Second – Selectman Robertson

Discussion – Selectwoman Hutchinson asked that a synopsis of the phases of work completed to date be included with the description of this Article.

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

Creation of and \$40,000 to be placed in a Capital Reserve Fund for the purchase of Police Vehicles

Motion – Selectman Robertson moves the Article as written

Second – Vice Chairman Pitman

Discussion - Chairman Barry finds the language of this Petition Warrant Article to be unclear and spoke in opposition, Selectman Robertson concurred.

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

\$31,000 for the construction of a storage shed at the Transfer Station

Motion – Vice Chairman Pitman moves the Article as written

Second – Selectman Robertson

Discussion – Selectman Robertson, having spoken with multiple individuals involved in the operation of the Swap Shop,

questioned the need for this building. It was felt that if the space is for the Transfer Station, it should be called that and not presented under the Swap Shop title. Selectwoman Hutchinson, as a volunteer for the Swap Shop, spoke that the Swap Shop could very much use extra space, currently they are unable to accept larger items, such as furniture, because there is not enough room to store what isn't picked up that same day. She was in favor of the Article as a means by which to gauge the level of Town support for the Swap Shop operations.

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

\$25,000 to be placed in the Capital Reserve Fund for Municipal Government Buildings & Infrastructure

Motion – Selectman Robertson moves the Article as written

Second – Selectman Shute

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

\$10,000 to be placed in the Capital Reserve Fund for Rescue Vehicles and Equipment

Motion – Vice Chairman Pitman moves the Article as written

Second – Selectman Robertson

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

\$6,000 to fight the spread of milfoil on Northwood Lake

Motion – Selectman Robertson moves the Article as written

Second – Selectman Shute

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

Establishing a Revolving Fund for payment of Public Safety Services Special Detail Work

Motion – Vice Chairman Pitman moves the Article as written

Second – Selectwoman Hutchinson

Discussion – Chairman Barry noted that this is a zero expense Article which would save money and bring additional revenue to the Town.

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

Re-Authorize the Deerfield Rescue Squad to provide rescue services and to define its organizational structure

Motion – Selectwoman Hutchinson moves the Article as written

Second – Selectman Robertson

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

To Authorize the Trustee of the Trust Fund to pay for Investment Management services from Capital Reserves

Motion – Vice Chairman Pitman moves the Article as written

Second – Selectman Robertson

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

Approval of RSA 466:30-A – Update for the Dog At Large Policy

Motion – Vice Chairman Pitman moves the Article as written

Second – Selectman Robertson

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

Police Cruiser Marking & Municipal Registrations/Plates

Motion – Selectman Robertson moves the Article as written

Second – Vice Chairman Pitman

Discussion – Selectman Robertson spoke that the Board has dealt with this issue on and off for several years. He was in favor of leaving the matter up to the discretion of the Chief of Police and feels that, with one exception; the Chiefs have always engaged the Board in making vehicle purchase decisions.

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

To resolve that the State of NH provide a system of funding for its education needs

Motion – Selectwoman Hutchinson moves the Article as written

Second – Selectman Robertson

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

Regular Business & Signatures

- **Minutes of December 15, 2014**
Motion – Vice Chairman Pitman moves the minutes as written
Second – Selectman Robertson
Vote to approve – Yea 4, Nay 0, Abstained 1 – Motion Carries
- **Accounts Payable - \$20,255.82 & \$527,213.42 (\$500,000 transferred to the School)**
Motion – Vice Chairman Pitman moves to approve
Second – Selectman Robertson
Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries
- **Payroll Manifest – Void of \$965.07 in Un-cleared Checks - \$0**
Motion – Selectman Robertson moves to approve
Second – Vice Chairman Pitman
Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries
- **Agreement between the Deerfield Police and Deerfield Veterinary Clinic - \$1,200 flat rate for services rendered between 1/1/15 and 12/31/15**
Motion – Vice Chairman Pitman moves to approve
Second – Selectman Robertson
Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries
- **Tax Abatement - \$571 of the 2013 Property Tax to the owners of 1 Upham Drive**
Motion – Selectman Robertson moves to approve
Second – Selectman Shute
Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries
- **Town Clerk/Tax Collector Refund Request – Double Payments of \$3,734 (274 North Rd) and \$3,436 (10 Old Center Rd)**
Motion – Vice Chairman Pitman moves to approve the refund of \$7,170
Second – Selectman Shute
Vote – Yea 5, Nay 0, Abstained 0 – Motion Carries
- **Non – Contemporaneous Business – December 19th – 3 Members Signing**
Accounts Payable - \$42,891.68
Payroll Manifest - \$49,737.84 (\$37,796.67 net)
- **Notice of Intent to Cut Wood or Timber – Joseph & Caroline Boyle, 181 Mt Delight Rd**
Signatures Executed

Correspondence

The Deerfield Fair Association has requested a contract proposal by January 19th for Fire Protection services at the Fairgrounds October 1-4, 2015. The Board will forward to the Fire Chief to prepare.

The Town has received notice from the State of NH that \$1,093,557 is owed for the 2015 Education Tax. \$211,839.39 was received from the Stat of NH for the 2014 Meals and Rooms Tax. Additionally checks in the amount of \$4,385 and \$2,760 have been received from Charles Marino from the Timber Cuts.

Five employees have asked to carry over unused vacation time from 2014 to 2015. Joe Manzi (8 hours), Evelyn DeCota (48 hours), Ofc. Lavoie (30 hours), Ofc. Hughes (45 hours) and Jan Foisy (45.5 hours).

Motion – Vice Chairman Pitman moves to approve the requests

Second – Selectman Robertson

Discussion – Selectwoman Hutchinson asked what the practice has been in past years, J. Foisy answered that Town Policy is to allow for up to 80 hours to be carried over.

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

Recess – Select Board Meeting and Open Public Hearing on Babb Road

Chairman Barry opened the Public Hearing to discuss the layout of a 1,048.41 foot right of way for cutting timber on Babb Road. Abutter Aaron Cady asked what the precedent has been for assessing any logging related damages. Chairman Barry responded that the responsibility would fall to the logging company and Selectman Robertson could recall a time when damage was done to the bridge on Thurston Pond Road where the logging company was liable for the repairs. The Board could recall no other incidents

where damages occurred. Mr. Cady felt that the Town was opening a can of worms by making itself the recipient of any claims of damage and felt it was a dangerous precedent to set. He asked if an alternative access off Griffin Road had been considered. He has spoke with the Forrester on several occasions and the expectation is that some seven to eight trucks will be traveling the road each day. He does not feel that Babb Rd is built to that level of use and expressed concern that the hill would be ripped up.

Harriet Cady spoke that she feels the work should be bonded and would like to see the road videotaped in order to establish a record of the present condition and avoid any future arguments of what was and what was not. Another resident voiced concern with the culvert on the road being able to withstand trucks weighing 100,000 lbs.

Selectwoman Hutchinson, referencing the minutes from the last meeting, noted it appears verbal authorization has been given by all by one abutter and asked if this was accurate? It appeared that more than just the Cady's had concerns. Mr. Cady's primary concern was that without bonding there would be no recourse for residents to ensure the road is returned to its original condition.

Wayne Burgess, representing the land owner, spoke that the logging company hired is a NH firm, the wood will likely be sold to New England Forest Products out of Greenland, NH. He has spoke with David Whatmough and Tom Bibeau on the matter and feels they are in agreement with the access. He saw no issue with having some sort of bond and with videotaping the area. Selectwoman Hutchinson asked whether it was common to have a bond with this type of work, Mr. Burgess answered that some Towns go so far as to require bonds for use of Town roads, sometimes the issue is contested and sometimes it is a matter of Town policy. Mr. Burgess estimated that \$5,000-\$6,000 would be a sufficient bond for the work planned and indicated that if they found the current culvert to be a problem they would likely put a new one in prior to starting work as it is expensive to have any delays once the operation has begun. Chairman Barry asked what the cost for a \$30,000 bond would be and Mr. Burgess estimated \$3,000-\$4,000. This work is expected to take some 4 weeks once the ground is frozen and the volume would be 7 to 8 trucks a day with as many as 12 to 15 per day at the height of the operation. Griffin Road was looked at and a Mr. Corliss was contacted, however the cost to build a road at that point of entry was why Babb has been the primary choice.

Abutter Michael Greene spoke that he has been appreciative of the way information has come straight at abutters as this has never been the case in the past. Having heard Mr. Burgess speak he is OK with the plans as laid out and found the manner and directness of the communications to be professional and more than satisfactory.

It was suggested that the Town engage the Road Agent to look at the culvert and make a recommendation as to an appropriate bonding level. Mr. Cady was opposed to involving the Road Agent for an analysis on private property. He suggested that if the company wants to engage an engineer privately they can and should do so. By his estimates the cost of materials to repair the road could be as much as \$50,000, perhaps even higher. Ms. Cady suggested that limiting the hours of operation be a condition of the right of way.

Reconvene Select Board Meeting

Chairman Barry voiced the Board's commitment to protecting the condition of Babb Road. It was agreed that the Town will engage Town Engineer Steve Keach of Keach and Nordstrom to examine the road and make any and all recommendations for laying out a logging operation.

Selectwoman Hutchinson spoke in favor of having the Road Agent review the area where Babb Rd intersects with Old Center Road and to make any applicable recommendations. She cited the Road Agent as a trusted and knowledgeable resource to the Town that should not go unused.

The Board will be in contact with Mr. Burgess once the Engineer's report has been completed with the understanding that the land owner would like to commence with work as soon as the ground is frozen.

Scheduled Appointments – Continued

Supervisors of the Checklist

Harriet Cady expressed that the Supervisors of the Checklist were disappointed in the lack of consideration taken for their team when moving locations. She also raised concern that on three or four occasions, they have found the files, which they are charged with keeping secure, to be unlocked. She has asked the Police Department to monitor the area more closely but assumes that spare keys are held by some employee(s) of the Town. Chairman Barry responded that there are no duplicate keys to the files and confirmed that the Supervisors of the Checklist hold the only keys. Vice Chairman Pitman asked what motive someone might have to access the files. Ms. Cady answered that they hold sensitive personal information, including social security numbers, dates and place of birth, etc. and that someone obtaining the information could apply for a credit card fraudulently among other things. The Supervisors are seeking the Board's assurance that in the new office space they will be the only ones with keys to the files. Ms. Cady also asked that there be an improved level of communication regarding the needs of the Supervisors. Specific needs identified by Ms. Cady that have been unmet include shelving, closets, and a laptop computer. They were able to purchase a new laptop this year. Chairman Barry reiterated that no one outside the Supervisors of the Checklist have keys to the files and confirmed that in the future

they will work to be more communicative with the group on office space arrangements. He asked if \$600 for the purchase of a new laptop could be removed from the proposed 2015 budget as that equipment had already been obtained, Ms. Cady answered that no, the intent is to have three laptops so that each Supervisor has his/her own.

2014 Encumbrances

Through December 24th the Town has some \$341,000 remaining in its 2014 budget. It is projected that \$55,000-\$56,000 will be needed to satisfy payroll through year end. J. Foisy submitted the following encumbrance requests and recommended approval:

GBW Building Electrical Panel - \$6,809
GBW Building Electrical Panel - \$3,625
GBW Toilet & Sink Repair - \$1,987
Town Hall Interior Painting - \$2,000
Police Department Radar Units (4) - \$12,724
Fire Department Turn Out Gear (3) - \$4,897.35
Fire Department SCBAs (3) - \$17,409
Library Chimney Repair - \$8,000
Total Request = \$57,451.35

Vice Chairman Pitman asked how the Highway Department's Sand and Salt supply was stocked, J. Foisy answered that the shed is full.

Motion – Vice Chairman Pitman moves to authorize the encumbrances as read

Second – Selectwoman Hutchinson

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

Town Administrator's Report

J. Foisy reported that the office is busy working with 1099 and W2 year end mailings along with preparing for the audit, finalizing the Town Report and attending Budget Meetings.

Unfinished Business None

Other Business None

New Business None

Citizens Comments

Harriet Cady voiced her displeasure that, while Babb Road was discontinued in 1924, the Town has continued to issue building permits, thereby taking away the rights of land owners at the front access point of the road. She asked whether the Cady family would be held liable were something to happen on their land to someone using Babb Road. Chairman Barry responded that no building permits have been issued during the tenure of the present Board members.

Adjournment

Motion: Vice Chairman Pitman moves to adjourn the meeting of December 29th

Second: Selectman Robertson

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

Next Meeting Monday, January 12th @ 5:30p

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