

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
January 28, 2018  
MINUTES of PUBLIC MEETING**

**Call to Order**

1:00 pm – Chairman Barry called the public meeting to order.

**Present:** Stephen Barry, Chairman; Richard Pitman, Vice Chairman; Fred McGarry, Andrew Robertson and Jeff Shute, Selectmen.

Chairman Barry welcomed all to the discussion regarding the fire-rescue department and let them know what the guidelines would be for participating in the discussion.

Chairman Barry stated to keep it civil, no picking on any person, keep it calm and it's okay to disagree. Everyone will have three minutes. Once everyone has had a chance to speak, the Chairman will allow someone to speak again.

Selectman McGarry stated that maybe the Chairman could provide a brief summary of what actually has transpired.

Chairman Barry gave his overview.

The Board of Selectmen (BOS) voted to hire two, full-time EMT/fire fighters as well as to merge the fire and rescue departments into one.

At the end of December, the BOS hired two part-time EMT/fire fighters and one on-call EMT/fire fighter in order to provide coverage during the day as that seemed to be where the problem existed.

Selectman Robertson stated that based on the data that was given to the BOS, their intent was not to replace the volunteers that Deerfield has had covering but to supplement coverage.

The data showed that two people mainly were responding to calls during the day and one has retired and the other, Captain McHugh.

The hiring of personnel would also facilitate having people to respond mutual aid, keeping with the idea that one town can supplement another in times of need.

**Jeanne Menard – Mountain Road**

Ms. Menard's concern was if there was a plan to help with the transition of being a total, volunteer fire department to a department that when volunteers and paid people. She wanted to make sure that this was addressed so that the transition goes smoothly.

She asked if Deerfield has reached out to other departments that have gone through this transition and are thriving in order to help make Deerfield's transition the same.

Selectman Robertson stated that he knew what Ms. Menard was talking about after hearing from a lot of people from Deerfield. What struck Selectman Robertson is that only two people were concerned with the cost whereas everyone else asked why was the change needed.

Selectman Robertson stated that he has great faith in the new fire chief as well as Captain Cindy McHugh to get through this time of transition. He stated that he knows that the fire chief has reached out to different departments to see how their transition went as well as the pitfalls that might have to be addressed.

#### **Kevin McDonald – 36 Mountain Road**

Mr. McDonald asked if the select board could clarify how the fire and rescue departments could be merged and brought the Board's attention to RSA 154:1 which the RSA that the town accepted the fire department as a town department and RSA 153-a to accept the rescue squad.

He also stated that it wasn't clear to him how the town could merge the two departments as the town's people voted using two different RSA's and wanted to know which RSA was being used.

Selectman Robertson stated that it was his understanding that they reauthorized the rescue squad to provide service to the Town of Deerfield under RSA 153-a.

Selectman Robertson stated that before the merger, the Town went to legal counsel and made sure that they were not mis-stepping with the merger. He also went on to say that in the past, Deerfield did have a combined fire and rescue department.

Selectman Robertson stated that under the merge of fire and rescue in Deerfield, we were one of a very few that still had a separate fire/rescue department.

Mr. McDonald stated that it was his understanding that the town had hired three, fire fighter/EMT's and are they looking to hire more.

Selectman Robertson stated that in fact, they may hire more part-time people with no hours to work but to keep them in a pool to draw on. He explained that like police officers, fire personnel take jobs in other departments and having more than two people would be difficult to schedule.

Selectman Robertson went on to say that while there may be more than two names listed as part-time fire fighter/EMT's, there will never be more than two on duty at any given time.

Mr. McDonald asked if that would be in addition to the two, full-time people that are supposed to be hired.

Selectman Robertson stated that it is his understanding that once there are full-time people, there will not be part-time personnel.

Chairman Barry stated that with the part-time people, the town is looking to fill 60 hours a week.

Mr. McDonald stated that he had one last question which is again, under RSA 154:1-1a, it is stated that the fire chief would be appointing/hiring fire fighter/EMT's.

Chairman Barry stated that the Select Board hired the part-time people but it was on the recommendation of Chief Fisher and Mr. Harrington that the town do so.

Selectman Robertson added that it wasn't only Chief Fisher and Mr. Harrington, but fire personnel from different towns were involved in the interview process.

Mr. McDonald commented that under the RSA, it states that all personnel would be appointed and he thought that unless the towns people voted to change this, that it would still have to be as it was, to appoint rather than hire.

#### **Don Wyman – Nottingham Road**

Mr. Wyman spoke on the hiring of personnel before January which was the date that was provided but with talking with Chairman Barry, he stated that it was done at the end of December so that it could get put in the default budget. He was also concerned about the benefits for these people that would be coming out of the pockets of taxpayers. He went on to ask, since it is in the default budget, does that mean that the people of Deerfield can't vote on not having part-time personnel.

Chairman Barry stated that he would like to comment on the statements that were made. First, part-time people don't receive benefits.

Selectman Robertson stated that there is not a specific question on the ballot asking if the town wants to hire these people. And to clarify Chairman Barry's statement, there is going to be retirement, additional FICA, Medi and Worker's Compensation (this was clarified by Selectman Robertson that there was not going to be any benefits paid for part-time personnel) but no one put out a warrant article by petition and the select board didn't put out a warrant, he stated that Mr. Wyman was correct. No matter which budget passes, the way that the town hired the part-time personnel so that they fall under the default budget. It is going to be up to the select board as to how they move forward.

A final statement from Mr. Wyman was why did Deerfield see the need to go along with other towns in merging their departments even though we are one of the few in the state that currently weren't combined.

Selectman Robertson stated that the select board had a thought process that they couldn't just hire EMT's or couldn't just hire fire fighters. A person with combination qualifications gets the town the most bang for the buck and couldn't see how it could work unless the departments were combined.

Mr. Wyman asked the select board if the reason why they were hiring part-time personnel was because of the lack of personnel. Chairman Barry stated that it seemed to the Board that there is a problem during the day with coverage.

Mr. Wyman continued with the statement that the town knew that they had a problem with the previous fire chief "forcing" people out of the department that could respond during the day and the town is just now starting to address the issue.

### **Harriet Cady – Old Centre Road**

Ms. Cady stated that the citizens of Deerfield didn't have a choice in choosing whether or not they wanted paid fire fighters.

She further stated that there are many, many costs in the default budget that she feels shouldn't be there. She was reminded by Chairman Barry that this was a discussion regarding the fire department not the default budget.

Ms. Cady then asked if the retirement that was put into the default budget was for the fire fighters that were hired.

Selectman Robertson stated that he misspoke when he said that retirement needed to be paid for the part-time fire fighters. In fact, no retirement is being paid to the part-time personnel at the fire department but that there were retirement monies put in for the 2018 Select Board budget.

Ms. Cady's question next was why the Board didn't trust the voters to make the decision of hiring fire personnel.

No one on the board answered Ms. Cady's statement.

### **Tom Dillion – Haynes Road**

Mr. Dillion echoed Ms. Cady's sentiment about not asking the votes of the town to hire fire personnel and echoed Ms. Cady's question regarding why the Board didn't come to the voters.

Selectman Robertson stated that he had no answer other than community safety and response of personnel was a big concern to him and that he thought that this would be the way to go.

Chairman Barry stated that back in August when the Board talked with Chief Fisher, the Chief stated that this would be what was needed come January when he took over. The Board stated that they thought that there was a lack of response and if they have, they would have hired people the next day after being given the statistics but the hiring process is fairly slow.

Chairman Barry also stated that no fire or rescue personnel told the Board that an issued existed until Chief Fisher stated to them that there was and they acted on the recommendation that was given to the Board.

Mr. Dillion stated that the Board knew a long time ago that there was an issue and yet nothing was done until recently and then hired in a way that precluded the town's people from having any say in the decision.

Selectman Robertson stated that he wouldn't change his answer but the phase that keeps coming up is that the Board has done nothing. Without getting into too much detail, let it be known that the Board has done something. There is new leadership for the fire department and was echoed by Chairman Barry.

#### **Laura Cote – James City Road**

Ms. Cote stated that she would like to answer the question that keeps coming up and that is she personally feels that the select board was saving their backs.

Ms. Cote stated that issues stemming from the former, past fire chief went unresolved. Her question to the board is what they are going to do to guarantee that the issues that were brought forward, don't happen again.

Selectman Robertson stated that the Board did listen multiple times and through a process that he can't bring up to explain publicly, they are where they are today. With new leadership in a new fire chief and his officers along with the EMS Captain, they hope to proceed in a stronger, better fashion than previously done.

Ms. Cote also stated that she had wished that the Select Board had waited until after the first of the year to see if any of the fire fighters would come back now that the previous chief had been replaced.

#### **Ms. Hotaling – Lake View Lane**

Ms. Hotaling asked what the statistics now that one month has gone by with part-time people on board as well as what are some of the duties that they are performing while on duty.

Chairman Barry stated that the previous chief was also the building maintenance supervisor and to find someone that could accommodate the hours that the previous chief put in was very difficult as no one has that type of time. Chairman Barry deferred to Chief Fisher to see if he had any statistics of the month so far.

Chief Fisher stated that up to this hearing, there has only been one part-time person put on. He was already a member of the fire department and therefore all his checks were done. Of the other two, one has completed all of his checks and will be starting tomorrow and the other is still in the process of completing his checks.

Chief Fisher stated that he didn't have the statistics as far as Monday to Friday calls but that there has been a total of 41 calls for the month of January so far.

Ms. Hotaling, as a member of the MBC, knew that as part-timers, they would not have the increased expense of medical insurance and retirement but that the worker's compensation line would be affected.

She went on to say that for the default budget, the amount for 60 hours a week it will be approximately 50,000.00 whereas the 2018 budget would be much higher.

#### **Kevin McDonald – Mountain Road**

Mr. McDonald asked Chief Fisher if there was going to be any type of recruitment for volunteers to join fire-rescue.

Chief Fisher stated that fire-rescue has started that process of informally inviting past members that left under the past chief's terms. It was a meeting that was more informational to educate previous members what is happening with the department and what the current chief feels is the way that it is going to go.

The next step would be more of a formal recruitment using social media, The Forum and the town website to name a few. There have been three applications from people that are applying to get onto the department, two of which were explorers that are now of age and one is a former member that left in the past.

The process for recruiting volunteers will be more of a formalized process with the officers going through the interview process and then sending out for background checks and other requirements needed.

Vice Chairman Pitman asked Chief Fisher if he could explain what the background check is.

Chief Fisher stated that it is the standard application form that the Town of Deerfield uses which includes, a motor vehicle check, criminal check and if they move forward, a physical through Concentra and whatever physical testing that the town uses.

#### **Jeanne Menard – Mountain Road**

Ms. Menard stated that rebuilding mutual aid relationships will be essential as well as rebuilding the department and it needs to start in Deerfield.

#### **Alex Cote – James City Road**

Mr. Cote stated that the department had gone down hill in the last two years with the previous chief trying to alienate members. He stated that he was one that it was done to and that he wasn't going to be intimidated by the former chief as Mr. Cote stated he was here to serve the people of Deerfield.

Mr. Cote's thought was that if the Board had acted on the announcement of the former chief's retirement, the problems that are here now wouldn't have happened.

Mr. Cote also stated that he thought that we should give Chief Fisher a chance at getting the department back on its feet before hiring two, full-time firefighters.

He also mentioned that the former chief did so much but in reality, the former chief didn't delegate work that should have been done within the ranks of the fire department. Chairman Barry agreed.

Mr. Cote stated that he echoed his wife's comments and that the Board of Selectmen was his boss. Chairman Barry stated that yes, while that may be true, they do not, for the most part, manage the day to day activities of any department.

Selectman Robertson stated that he agreed with Mr. Cote, but that there are very clear steps that need to be taken from RSA's in order not to misstep. He recapped that they would love to be able to take steps but when advised by counsel as to how it needs to be done, they go by counsel.

#### **Ms. Cady – Old Centre Road**

Ms. Cady asked when Chief Fisher became full-time to which Chairman Barry stated that Chief Fisher is not full-time.

She then stated that she felt the same way as Ms. Menard regarding keeping our community together and to bring back our volunteers.

She asked the question of the Board "how is having part-time staff going to help with response"? Her example was her son's fire three years ago when only one person in a truck got to the scene and her son got on the hose to put the fire out. Northwood arrived before another Deerfield truck did.

The last question from Ms. Cady was of the 41 calls, how many were rescue calls and of those, how many did Capt. McHugh respond to alone.

Selectman Robertson stated that first, Chief Fisher is not part-time. He is paid from the fire chief stipend that has been in place for a while.

Secondly, in his mind, getting a truck to a scene during a time that may not normally have a person to respond is better than no truck getting there at all.

Selectman Robertson asked Chief Fisher if he had specific data regarding the calls from January so far of which Chief Fisher did not have a breakdown other than the Fire-Rescue responded to 41 calls so far in January.

#### **Ms. Cote – James City Road**

Ms. Cote wanted to know if the retired fire chief is in any shape or form, going to be a member of the fire department.

Chairman Barry stated that the former chief retired as of 12/31/2017.

Ms. Cote asked the Board if they knew when he signed off as chief that he signed on as a Warden to which Chairman Barry stated that the former chief is still a Warden.

Selectman Robertson stated that while the former chief could have access to the fire station as any private citizen with permission of the Chief or other officers, he didn't know how that would play out as the Board of Selectmen have written a letter to the State to relay their thoughts as to who they would like to see as Warden for the town of Deerfield but that the Board doesn't have any authority to appoint, just to recommend.

Ms. Cady stated that she knew that speaking for herself, she would not be comfortable with the former chief in the same building as herself and she knows that other fire fighters feel the same way.

Chief Fisher stated that he believed that the former chief's term as Warden ended on 12/31/2018 and it is up to the state as to whether or not they continue him in that role. The former chief is also a special deputy warden and should there be a forest fire within Deerfield, he could still be there. Chief Fisher stated that he is a deputy warden as well as others. The town also has a number of special deputies.

Chairman Barry stated that the door is open for anyone that wants to reapply to be a fire fighter or a member of the rescue side. He stated that he knows that everyone's basic reason for being a fire fighter or on rescue was to help the community and he also knows why people have drifted away.

It's 2018 and would like to put everything behind and start to work together in a new year, new personnel and remembering the reasons why everyone stepped up to volunteer.

#### **John Therrien – Cole Road**

He stated that he would like to come back on the department but that he would like to ask if the 8.5% increase in the taxes is for the revamping the fire department.

Board members chimed in that the 8.5% increase is mostly fire department but in reality, is the town budget and that compared to the school budget, is minuscule in comparison.

#### **Kevin Verville – McCarron Road**

Mr. Verville stated that he thought that the meeting today should have happened before the decisions were made regarding the fire department. There isn't an ambulance in town. Statistics aren't being provided that have been asked before, especially from the police department.

One question that he isn't clear on, if the proposed budget does not pass, is there money for full-time fire fighters in the default budget which it was stated no by the Select Board.

He also stated that with the 8.5% increase, he didn't see it passing but that when something was put into a warrant article, particularly for fire or rescue, that warrant passed and this is how he thought that this should be been approached.

Mr. Verville asked if any work was done on the Primex reports.

Chairman Barry stated that they are trying to see if a spot could be used as a new building spot, most likely for the police department initially. A wetland's study has been contracted for the property but it was not complete and most likely will be brought up as a warrant for 2019.

Mr. Verville stated it seems that nothing has been done from the Primex report which was mainly health safety issues for the fire department.

Selectman Robertson stated that in his mind, the police department is the one that is in dire need of attention. If he has his way, all three departments would be taken care of at once but it seemed that trying a modular approach of a new safety complex would be a better solution at this time.

While Mr. Verville agrees with the assessment that the police department needs the attention first, he is concerned that the Town is hiring people for the fire department and none of the issues that were listed in the Primex report have been addresses.

Chief Fisher stated that he has been going through the Primex report and has reached out to different door companies to get sensors on the doors. This is the second year that the fire department is trying for a grant for a new cascade system. He also stated that we are working on moving the PPE into its own room to remove it from the particulates that could get on it from exhaust. He stated also that he has looked into rearranging the downstairs bathroom to make it so that there would be a decontamination area. These are some of the projects that he is setting his goals to improve and to make the station a little more user friendly and adaptable for the department.

Mr. Verville stated that this is good news but did ask if the time has past to put out a new warrant onto the ballot to which the select board stated that yes, the time has passed to do so.

#### **Kevin McDonald – Mountain Road**

He stated that to clarify, the position at the state is the Director of Forest and Lands, his name is Brad Simpkins and is the one that does the terminating as he is the one that terminated himself as a deputy warden for the Town of Deerfield.

#### **Aaron Cady – Old Centre Road**

Mr. Cady asked if there had been a meeting for previous members of the fire department to have them consider coming back onto the department.

Chief Fisher stated that after an officer's meeting in January which the officers starting strategizing how to reach out to previous members of the fire and rescue departments and was decided to start reaching out in a "tier" fashion.

Mr. Cady stated that he felt he was excluded from the meeting to which Chairman Barry stated that that statement was unfair and that it may have been omission, not exclusion.

Mr. Cady asked the Board what was being done to expediate the returning of previous members to the department.

Selectman Robertson stated that the Board was not doing anything in the day to day recruitment of members returning and would encourage any existing or previous members that would like to come back to the fire department that they make that known. Selectman Robertson stated that the RSA that the fire department was restructured with, states that the select board shall appoint the fire chief and the fire chief and officers will appoint, promote, demote or dismiss fire fighters.

Mr. Cady asked what the chief was doing to recruit old members or interested members.

Chief Fisher stated that the department has had a few meetings internally, as this has been a change for the department, being merged into one department and some internal healing.

Chief Fisher went on to say that the department did have one informal meeting and is planning more public outreach but having 20, 30 or 40 people coming back onto the department wouldn't be healthy either and is trying to be cautious about proceeding slowing.

Mr. Cady stated that although he understands the dynamics, if 20 or 30 certified fire fighters came back onto the department, the requirement from the select board about needing part or full time personnel would become null and void.

Chief Fisher stated that this fact would be looked at but if 20 or 30 people came back to the department, a majority of them could be working out of town or not otherwise available during the day.

Mr. Cady stated that if the town really wants to heal the department, that preferential treatment would be given to previous members of the department.

#### **Tom Dillion – Haynes Road**

He stated that he was hearing two different select boards. On one hand, we need to hire but on the other hand, we have all these certified fire fighters that should be reached out to and it isn't being done.

Selectman Robertson restated that it isn't up to the select board, but the Chief of Fire-Rescue and his officers that have the ability to recruit previous members back to the department

Mr. Dillion stated that he doesn't have a trust issue with the new Chief but with the Board of Selectmen and if that doesn't change, then getting people back on is going to be difficult.

#### **Don Wyman – Nottingham Road**

Mr. Wyman wanted to know if the Board was taking into account, the well-being of the new fire chief. Not only is he trying to fix a broken fire department, both physical building and personnel but is also merging rescue with fire.

The Board didn't give any time to see if the older members would come back and rushed into hiring of part-time. Mr. Wyman also thought that instead of trying to fix five things, that it should have been done, one at a time. Mr. Wyman stated that he knows that the Chief feels that he can do it but someone should have taken into account the strain that such an undertaking would have but personally and publicly.

Chairman Barry asked Mr. Wyman so if when the Chief recommended that he wanted to fix everything at once that the Board should have ignored him.

Mr. Wyman stated no, but as the Select board, you could have asked him to break it up into pieces in order to be less stressful and possibly make the transition smoother.

Selectman McGarry stated that he agreed with Chairman Barry as he stated and he wouldn't be in a position to tell the Chief that he can or can't do something and that he would have to defer to the Chief.

Selectman McGarry also stated, as for the combination of fire and rescue, the only thing that he can see is that Capt. McHugh reports to the Chief and that she is still in charge of the Rescue. Other than that, he couldn't see any difference.

#### **Steve Hussey – 18 Raymond Road**

He stated that he hopes that the Chief looks at previous members as many are well certified. He also stated not to push change so fast.

He also stated that he would be willing to do training for the fire department at no charge. He is a staff member of the Fire Academy.

#### **Kevin Verville – McCarron Way**

Mr. Verville asked about the part-time staff as to who they would report to should the fire chief be out of town for his own job. Chief Fisher stated that it would fall to his two officers directly below him who are John Dubiansky on the fire side and Cindy McHugh on the EMS side.

#### **Jon Therrien – Cole Road**

Mr. Therrien stated that he wished that he could have given more chances to thrive in the fire department as he felt that he was left out of training opportunities.

#### **Harriet Cady – Old Centre Road**

She stated that she was disturbed about the fact that at the 12/28 meeting, the letters to hire the two, part-time people and the on-call person were signed and sent out but there wasn't any meeting where the employment was accepted.

Ms. Cady stated that she also didn't remember seeing an ad or posting in this building for requests to people to come forward for the position of fire chief. She did remember the non-public session where Chief Fisher was interviewed.

Ms. Cady wanted to know where the offer was to other people to apply for fire chief.

Chairman Barry stated that the former fire chief stated that there was no one that was willing or wanted the job. A job description was in the works in order to hire a fire chief when Chief Fisher approached the Board through one of its members.

Ms. Cady asked if that was appropriate since there were people in town that were qualified that might have wanted to apply to be the fire chief.

Chairman Barry stated that he is satisfied with the Board's choice for fire chief and felt the town will prosper with Chief Fisher.

Ms. Cady stated that maybe the Select Board have a pot luck supper and invite all the previous members that walked out.

Chairman Barry stated that previously in the meeting, he had stated that he invited all previous members to come forward if they are interested in serving on the fire-rescue.

Ms. Cady stated that she thought that it was the Board's responsibility to make sure that members that were pushed out to feel welcome to return if they want.

#### **Laura Cote – James City Road**

She was concerned with something that was stated regarding the Board's lack of supervision regarding what happens in the department.

Chairman Barry stated again that the Board of Selectmen don't have control over the fire chief's day-to-day operations other than his budget along with any policy changes. Policy changes need to come before the Board for approval.

If the chief steps out of line and the Board is made aware, at the very least, a report will be made and a process is currently in place should something be brought to the Board's attention. The Board will invoke legal counsel and make sure that the complaint is handled in the appropriate way.

#### **Steve Hussey – Raymond Road**

He mentioned that Kevin McDonald, Tom Dillion, and Alex Cote are in the room and he feels that the current fire chief should ask them to come back as there was only one reason why they left.

#### **Alex Cote – James City Road**

Mr. Cote came to the microphone to state that he hadn't left the department as he stated before, he was here to serve the residents of Deerfield, not the previous fire chief and plans on continuing to do so.

#### **Jeanne Menard – Mountain Road**

She asked if the Chief was aware of how budget requests are going to impact the tax payers of Deerfield and to make sure that with future expenditures, that the chief and his officers be very aware of the tax payers of the town. She stated that she didn't think that in the past there wasn't as much looking out for the tax payer in the past and she feels and hopes that decisions that will affect the town will be thought out, price checked and made sure that it is an item that is truly needed and realize that the town doesn't have an open checkbook and asked the Chief if he could comment.

Chief Fisher stated that he did understand that the town didn't have an open checkbook for the fire department and that purchases recommended by the department are well thought out and needed in order to proceed in the way that he would like to see the department go.

He also stated that he would try to obtain items such as a new cascade system through a grant so that it wouldn't be a burden on the tax payers. This is the second year that the department has tried to do this.

His guideline is to purchase or replace items that are currently on the Primex report as well as any life safety issues that need to be addressed.

Selectman Robertson stated that with the new town administrator that all items that are put forth to him for approval will be vetted thoroughly.

Selectman McGarry asked Chief Fisher to explain to everyone what a Cascade system is so that everyone in the audience would understand.

He explained it is what is used to refill the bottles from the breathing apparatus (SCBA) that is used to fight many types of fires, not just interior fires.

Chairman Barry stated that the public meeting has come to an end and thanked all that were in attendance.