

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
December 1, 2008
MINUTES**

Call to Order:

6:00pm Chairman of the Board of Selectmen, Stephen R. Barry called the Meeting to Order.

Roll Call:

Present: Stephen R. Barry, Chairman; R. Andrew Robertson, Vice Chairman;
John Reagan, Walter C. Hooker and Alan E. O'Neal, Selectmen
Also Present: Cynthia Heon, Town Administrator

Pledge of Allegiance to the Flag:

Chairman Barry asked all to rise for the pledge of allegiance to the Flag.

Point of Order:

Chairman Barry announced the bids for projects at the Philbrick James Library, while not on the Agenda, would be opened as the first order of business. The bids were due back on December 1, 2008 at 6pm.

Opening of Bids/Philbrick James Library:

Chairman Barry asked if there was anyone in the room that wished to bring a bid forward.
No bids were brought forward.

Present: Evelyn Decota, Librarian; Bonita Beaubien, Chair of the Philbrick James Library
Trustees; Kathy Berglund and Chris Carr, Library Trustees

Vertical Platform Lift

Chairman Barry read the Invitation to Bid, stated the places where the notice was posted and the newspapers it was published in. The notice was placed on The Forum and the Town Website as well.

One bid received for the Vertical Platform Lift.

Always Accessible	Concord	\$17,136
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Point of Information:

Librarian Evelyn Decota informed everyone the appropriation in the Warrant Article is \$40,000 which covers all three projects.

MOTION: Vice Chairman R. Andrew Robertson made a motion to refer the bid for the Vertical Platform Lift to the Philbrick James Library Trustees. Seconded by Selectman Walter Hooker.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Bathroom Renovations

Chairman Barry read the Invitation to Bid, stated the places where the notice was posted and the newspapers it was published in. The notice was placed on The Forum and the Town Website as well.

The following bids were received:

Englewood Construction	Manchester	\$ 5,550
ATB Construction	Kittery Point, Maine	\$ 4,669
Great Pine Construction	Concord	\$20,750
Turnstone Corporation	Milford	\$16,708
J. H. Spain	Concord	\$ 9,603.99
Anky Construction	Londonderry	\$11,100
American Dream Builders	Brentwood	\$ 9,250

MOTION: Selectman John Reagan made a motion to refer the bids for the Bathroom Renovations to the Philbrick James Library Trustees. Seconded by Selectman Alan O'Neal.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Vestibule Construction

Chairman Barry read the Invitation to Bid, stated the places where the notice was posted and the newspapers it was published in. The notice was placed on The Forum and the Town Website as well.

The following bids were received:

ATB Construction	Kittery Point, Maine	\$29,668	
Gray Pine Construction	Concord	\$43,750	
American Dream Builders	Brentwood	\$32,445	
JH Spain	Concord	\$35,966.22	
Turnstone Corporation	Milford	\$78,779	
Anky Construction	Londonderry	Option 1 Option 2 Option 3	\$34,400 \$35,500 \$36,000
Englewood Construction	Manchester	\$40,020	
Stenbak Design Assoc	Londonderry	\$62,500	

MOTION: Selectman John Reagan made a motion to refer the bids for the Vestibule Construction to the Philbrick James Library Trustees. Seconded by Selectman Alan O'Neal.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Deerfield Conservation Commission (DCC):

Present: Serita Frey, Chair; Erick Berglund, Treasurer

Erick Berglund stated the purpose of coming before the Board this evening is the DCC saw a need for something to happen with regards to forestry management. Recently, one person stepped forward but prior to that the Forestry Commission has been inactive and the forests left to grow on their own.

Mr. Berglund advised the Board Deerfield has 650 acres of Town Forest. The DCC is of the opinion that proper management would sustain a healthy forest. There is the need to update the forestry management plans currently in place and to develop a plan for the newest Town Forest, the Freese property. Beyond this, there is the desire to educate citizens about the Town Forests.

From discussions about the situation, the DCC believed they could help take on this responsibility and be responsible for the management of Town Forests with the assistance of a subcommittee such as the Forestry Commission. The DCC acquires properties through conservation easements and having the Forestry Commission within that structure provides support.

Another benefit would be that the DCC could recruit members for the Forestry Commission. The current DCC membership includes people who have experience to do the things that need to be done which would free the Board of Selectmen up from the details of forestry management. The DCC would provide status reports, on the management plans, as they are developed.

Mr. Berglund offered the use of the DCC Fund money to kick-start the forestry program and to begin planning for managing Town Forests and to invest in the forestry expertise. At some point, the caveat that the DCC could ask for is to replenish the funds generated by a timber harvest.

Reference was made to a prior Warrant Article and the Deerfield Conservation Commission's (DCC's) belief the authority to handle forestry matters is already in place. While it looked like the authority was established, Vice Chairman Robertson stated the Warrant Article was ruled out-of-order.

Erick Berglund had looked at statutes that enable a city, or town, to appoint a Tree Warden. The DCC wants to bring this forward and put energy into investing in the natural resources, Town Forests. The DCC believes they can accomplish this right away.

Selectman Hooker said in light of recorded history, and the statutes, if a Warrant Article was brought forward, or whatever the correct path to take is, there would be a record of it. There is some confusion as to whether we do, or do not, have a Forestry Commission. Chairman Barry noted the Forestry Commission recently acquired an active member.

Mr. Berglund believed the Selectmen have the authority to make the Forestry Commission a subcommittee of the DCC or appoint a Tree Warden. Mr. Berglund stated several members of the DCC are focused on forests and all the activities that would be tied to them. The Board of Selectmen asked what is the DCC's preference, is it the Forestry Commission as a subcommittee to the DCC, or a Tree Warden.

Selectman Hooker liked the idea of appointing a Forestry Commission by the Board of Selectmen and envisioned it like other committees where the names would be recommended by the DCC and the Selectmen would approve the appointment.

Selectman Reagan asked Kevin Cini, Forestry Commission Member, present at this time, to comment. Mr. Cini had no comments.

Selectman Hooker referred to the statute, and if the Forestry Commission became part of the DCC, he asked Mr. Berglund if the DCC would at least look at the position of a Tree Warden and what responsibility that individual would have. Selectman Reagan said it is his understanding the Tree Warden would look at a tree and give the approval to take it down. Mr. Berglund viewed the statute as being broader and speaking to the responsibility of management, or partial management, of the forests. Serita Frey interpreted the statute that there can be a Tree Warden but there did not have to be. Chairman Barry would like to hear what is proposed by the DCC.

Vice Chairman Robertson added the statute should be looked at. It was mentioned that Mr. Cini, Forestry Commission Member, is working on the cost of a plan which he presented a couple meetings ago. Vice Chairman Robertson said the concept of the DCC and the Forestry Commission, was discussed by the Board every year and nothing has been done. There has been no action taken towards any active forestry management since he moved to Town in the late 80's. The DCC does have forestry minded people who could do the inventories and surveys on the Town Forests and wildlife. Vice Chairman Robertson believed the Board of Selectmen should have input.

Erick Berglund agreed with the concept of appointments by the DCC. It is desirable to merge the DCC and the Forestry Commission. Mr. Berglund sought clarification as to what, if anything, would have to go through Town Meeting, e.g., a Warrant Article.

Selectman Hooker asked if upon review of the statutes the Town Forests became the responsibility of the DCC would the DCC at least take a look at the position of Tree Warden and what responsibility that position has. Emergency functions could be one of the responsibilities. Selectman Reagan's understanding is the Tree Warden looks at trees and gives the okay to take them down. Erick Berglund found the statute broader talking about the responsibility of management or partial management.

The Board requested the DCC and Forestry Commission be placed on the agenda for next week. This will provide time for further review by everyone.

High Meadows Development/Tin Pot Realty:

Present: John Krebs

MOTION: Vice Chairman Robertson made a motion the Board sign the Indemnification Agreement with Tin Pot Realty. Seconded by Selectman Walter Hooker.

Discussion: Chairman Barry questioned if the agreement is signed does that mean the Board of Selectmen are accepting the road. Selectman O'Neal thought accepting the road would be a separate action. Selectman Reagan stated the Board would have to move to accept or not accept the road. Selectman Barry stated signing does not take care of the second step of the accepting the road. Mr. Krebs didn't see how the Board could sign the agreement if they didn't own the road.

MOTION WITHDRAWN:

Vice Chairman Robertson withdrew the motion he placed on the floor. Selectman Hooker withdrew the Second. The motion to sign the Indemnification Agreement is withdrawn.

It was pointed out that the acceptance of the roadways should be done at a separate time so that the residents could see that accepting a road was going to be discussed as everyone pays for the maintenance. Chairman Barry indicated the acceptance of the road could be brought back next week however he believed the residents expected the Board to accept the roads. Vice Chairman Robertson agreed that government should be transparent but the vote last year authorized the Selectmen to accept roads. Chairman Barry agreed permission had been given, by Town Meeting, to accept roads.

MOTION: Vice Chairman R. Andrew Robertson made a motion to accept the road, High Meadows Lane, as a Town Road. Seconded by Selectman Walter Hooker.

Discussion: There was discussion on how many of the lots sold received Certificates of Occupancy. It was believed that either eight or nine Certificates of Occupancy have been issued with approximately eleven of the twenty three lots sold.

Selectman Hooker asked if the roads are accepted and the Indemnification Agreement signed would that mean that the winter costs would be the responsibility of the Town and was that budgeted for. Chairman Barry said it would take extra money and the question would be asked of the Highway Agent, Alex Cote. It will cost money this year that the Town does not have. John Krebs stated he has been working with the Highway Agent for some time but he didn't know if the budget anticipated the expense. Selectman Hooker did not believe the expense was covered in the 2009 proposed budget.

Chairman Barry pointed out there were eleven lots sold and the Board will have to accept this road, eventually, based on what we have done previously. Vice Chairman Robertson commented the current economic climate and realities could cause a delay of three or four years without service to the taxpayers and could create two or three long messy situations making people angry as has happened in the past. Vice Chairman Robertson's understanding is the Town authorized the Board to accept roads once the Planning Board has given the green light, which means engineering standards are per plan and the indemnification requirements are met.

VOTE: Chairman Barry called for the Vote. It was a Vote in Favor Yes-4 No-1
The road, High Meadows Lane is accepted as a Town Road.

Chairman Barry stated a motion to sign the Indemnification Agreement would not be necessary if all were in agreement the document should be signed. No one disagreed. The Indemnification Agreement between the Town of Deerfield and Tin Pot Realty was signed. The Highway Agent will be notified.

2009 Town Operating Budget:

Chairman Barry stated the 2009 Operating Budget would be printed and ready for the Municipal Budget Committee members to pick up tomorrow at 3pm. Chairman Barry pointed out that the bottom line of the 2009 Budget is \$3,241,095 which is \$81,343 below the 2008 Default Budget (current operating budget).

Chairman Barry asked if there were any final changes to the 2009 Operating Budget to be considered.

MOTION: Selectman John Reagan moved to accept the health saving account (HSA) proposal and reduce the Health Insurance Line by \$5,400. Seconded by Selectman Walter Hooker.

Discussion: The Board's previous decision was to keep the plan that was in place currently, Harvard Pilgrim. Chairman Barry said he had experience with HSA's and he would rather keep the current plan as it will wind up being about the same amount of money. Chairman Barry suggested looking into a health savings account next year.

Selectman O'Neal asked the Town's contribution be identified. Vice Chairman Robertson replied the number he used was \$3,000 rounded down. Selectman O'Neal saw a potential for savings and looked at the difference in the monthly premium, \$41,910, compared to a \$36,500 contribution by the Town. Chairman Barry mentioned administrative costs that are charged. Vice Chairman Robertson indicated the HSA is not as complicated as an HRA which has more administrative costs. Vice Chairman Robertson outlined the differences in costs for various types of coverage.

Selectman Reagan stated the number for health insurance coverage is \$219,157 under an HSA and the current number budgeted is \$222,000. Selectman O'Neal would investigate further but time is of the essence and changing is a big step. Chairman Barry stated a change in health insurance has a big affect on employees and would prefer more research and more discussion.

Selectman Hooker thought the change should be communicated to the employees before the vote is taken either in a printed format offering the explanation or by having a meeting with all employees. The difference between plans isn't much. For younger employees it may be beneficial as there would be dollars to use later but for the older employees there is less benefit as the funds could be spent. Selectman Hooker would like to see a more definitive plan, publicize it and start talking about it in September.

Vice Chairman Robertson pointed out that Selectman Reagan has worked on this plan for a couple of years. He mentioned the draw back to working on this earlier in the year if that rates are promised by October 1st but they are typically not available before the end of October or more likely November. It is a leap of faith if changing plans is considered.

Selectman O'Neal thought the \$4,000 could be cut somewhere else within the budget.

Selectman Reagan supported the HSA because the employees will keep the money forever at a total monthly cost of \$36,500 to the Town. Selectman Hooker asked if an employee leaves do they take with them what is in the HSA. Vice Chairman Robertson answered yes it is like an IRA with something like a 10% penalty if taken before retirement. Selectman O'Neal asked how the funds would be deposited, quarterly or annually. Selectman Reagan replied you begin with funds this year and in the following years they can be deposited quarterly or whatever is convenient to do.

VOTE: Chairman Barry called for the Vote on the Motion to reduce the Health Insurance Line in the Insurance Budget by \$5,400 and go to a Health Savings Account. It was a Vote in the Negative; 1-Yes 4-No

Discussion: Selectman O'Neal questioned if the correct amount was budgeted in the Health Insurance Line. Vice Chairman Robertson didn't think there was too much funding in the Health Insurance Line because employees are added, leave, pick different plans or change plans.

Chairman Barry asked if there was any further discussion on any other section of the 2009 Operating Budget. There was no further discussion.

MOTION: Selectman Walter Hooker made a motion to approve the 2009 Operating Budget, including changes from last week, in the amount of \$3,241,095. Seconded by Vice Chairman Robertson.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Town Operating Budget in the amount of \$3,241,095 is approved.

2009 Warrant Articles:

MOTION: Selectman Walter Hooker moved to approve the Warrant Articles as presented. Seconded by Vice Chairman R. Andrew Robertson.

Discussion: The amounts for fencing at Veasey Park and the windows at the Town Hall are still not known. Chairman Barry indicated these articles can be pulled if the Selectmen do not receive the requested information.

Selectman O'Neal asked about a possible increase for the broadcasting equipment. Mrs. Heon stated Bonni McPherson is working with Metrocast on this. It was noted the return line was installed today.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Warrant Articles will go forward to the MBC as presented.

2009 Default Budget:

Chairman Barry request input on the 2009 Default Budget. Selectman Hooker said he just received the information today but pointed out the total is less than the 2009 Operating Budget. Selectman O'Neal said it is also less than the 2008 Default Budget and/or current budget the Town is operating under. Selectman Hooker asked that the 2009 Default Budget be postponed until next week until he could double check his numbers. Chairman Barry stated the Board could hand the Default Budget over to the MBC on December 13th.

Other Business:

- Joint Deliberative Session

Vice Chairman Robertson spoke with the Chairman of the School Board and learned there was definitely no interest in a joint meeting as far as the Deliberative Sessions are concerned. Chairman Barry added that the opinion of Town Counsel is that a joint Deliberative Session cannot happen as the exact hour could not be warned. The Town would not know when the session would start therefore it can't be done. The Deliberative Sessions will be scheduled as follows:

Town	Saturday	January 31, 2009
School	Saturday	February 7, 2009

- Municipal Budget Committee Meeting/December 13, 2008

The Town is prepared to present the 2009 Town Budget and 2009 Warrant Articles on December 13th and is scheduled to follow the school presentation.

Review of Outstanding Minutes/November 17, 2008

MOTION: Selectman John Reagan made a motion the minutes of November 17, 2008 be approved as written. Seconded by Selectman Walter Hooker.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Minutes of November 17, 2008 stand approved as written.

Vouchers:

Payroll Manifest/\$43,018.59

MOTION: Selectman Alan O'Neal made a motion to approve the Payroll Manifest in the amount of \$43,018.59. Seconded by Vice Chairman R. Andrew Robertson.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Accounts Payable Manifest/\$320,368.36

MOTION: Vice Chairman R. Andrew Robertson made a motion to approve the Accounts Payable Manifest in the amount of \$320,368.36. Seconded by Selectman John Reagan.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Signatures Requiring a Vote:

- Notice of Abatement/Refund
Map 208 Lot 78/Map 208 Lot 80/Wayne Pollock
Reason: Taxes were overpaid.

MOTION: Vice Chairman Robertson made a motion to grant the abatement/refund request. Seconded by Selectman John Reagan.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

- Notice of Refund/Reimbursement/\$7,029/First American Real Estate Service
Reason: The wrong parcels were taxed in 2007.

MOTION: Vice Chairman Robertson made a motion grant the reimbursement request. Seconded by Selectman John Reagan.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

- Computer Abatement
Map 418 Lot 98/Gary and Susan Ulin
Reason: Per letter from Avitar Associates dated October 14, 2008.

MOTION: Vice Chairman Robertson made a motion to grant the abatement request recommended by Avitar and the Town Clerk/Tax Collector. Seconded by Selectman John Reagan.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Signatures not Requiring a Vote:

- Land Use Change Tax Warrant/\$19,000
Map 416 Lot 19-8/Tuckor Real Estate Development
Map 416 Lot 11/Holly and Ryan Boyson

Chairman Barry commented that it was nice to see the Board's names appropriately printed on the Warrant.

- Cemetery Deed
Frank Bienek, Sr. /Old Centre Cemetery

- Intent to Cut
Map 420 Lot 34/Paul and Tricia Hellings

Point of Information:

Chairman Barry recognized an individual present who wanted to know the outcome of the bidding process. Chairman Barry stated the bids were opened and turned over to the Library Trustees who return next Monday with a recommendation.

Review of Correspondence:

- NHDOT/State Highway Block Grant

Nancy Mayville, Municipal Engineer forwarded the State Highway Aid amount for the next calendar year as outlined below:

January	\$ 24,176.32
April	\$ 28,380.18
July	\$ 36,662.63
October	\$ 36,663.63
Total	\$125,881.76

There was a question as to whether or not the State had responded to the Town's inquiry on any funds they were holding for projects, in Deerfield. Mrs. Heon replied the State has not replied.

- State of New Hampshire Liquor Commission
Re: Deerfield Mart LLC (Mr. Mike's)
Walid Kairouz and Charles Bouyounis, Mbrs.

A formal request was sent to the Board of Selectmen, from the State Liquor Commission, to provide any input into issuing a Liquor License to the new owners of Mr. Mike's. The Board had no objections. A letter will be prepared for signature by the Board.

Unfinished Business/Other Business/New Business:

Chairman Barry asked if there was any additional business the Board wished to conduct this evening. There was none.

Citizen's Comments:

Harriet Cady requested a copy of the budget information discussed this evening. The copies will be made and provided.

Harriet Cady mentioned a weatherization program that is available for public buildings and low income homes. On Election Day, through a conversation, Mrs. Cady learned that fixing the Town Hall windows had been brought to the attention of the Selectmen on a number of occasions. Mrs. Cady thought this was a good idea after having experienced a drafty kitchen area on Election Day. She suggested the Town apply for the grants under the energy program. Chairman Barry stated the Board is trying to get a price on repairing or replacing the Town Hall windows. Mrs. Cady stated if Public Service Company of New Hampshire (PSNH) does an energy audit they would let the Town know how much they are eligible for. The funds for this program are paid by all of us when we pay the electric bill.

Adjournment:

7:10pm

On the motion to Adjourn, by Selectman Walter Hooker, seconded by Vice Chairman R. Andrew Robertson, Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The December 1, 2008 Selectmen's Meeting stands adjourned.