

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
May 4, 2009
MINUTES**

Call to Order:

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

Roll Call:

Present: Chairman of the Board, Stephen R. Barry, Vice Chairman, R. Andrew Robertson; John Reagan, Walter C. Hooker and Alan 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.

Citizen's Comments:

I. Maureen Mann/Vendors/Vehicle Maintenance

Maureen Mann recalled an issue regarding the Police Department and only taking the vehicles to certain locations for repair. Mrs. Mann asked if that directive was by vote of the Board of Selectmen.

Vice Chairman Robertson said there was discussion of an alternator being repaired, should that be what Mrs. Mann was referring to, and the outcome of the discussion was to leave this up to the Department Head's discretion with the understanding the Department Head would seek the best price.

Mrs. Mann asked if there were preferred vendors or a formal policy. Vice Chairman Robertson said the Board advised Department Heads of the rates for some vendors but that was it. There is no formal policy.

Opening of Bids:

I. Propane Gas

Chairman Barry read the Invitation to Bid for propane gas for the 2009-2010 season. He announced the locations where the notice was posted, the newspapers where it was published and noted that the invitation was sent to 13 vendors. The Invitation to Bid was also placed on the Town Website and The Forum.

Point of Information:

Mark Tibbetts shared information concerning this bid process with the Selectmen. Mr. Tibbetts wanted the Selectmen to know that whoever is awarded the bid must understand that it is crucial the firm be aware the Fire Station is an emergency services building which houses propane furnaces and a generator. The Fire Department's experience during the ice storm was the vendor that serviced the Fire Department would not come out in the middle of the night when asked. Rymes was the only company willing to accommodate the Fire Department and did so within 30 minutes. Another factor to consider is the propane tank currently in place at the Fire Station belongs to Rymes. Tanks are usually the property of the vendor.

Selectman Hooker questioned whether or not the timeliness of deliveries was included in the Invitation to Bid and if each bidder knew what was expected. Mr. Tibbetts answered that when bidders called he explained to them what was expected.

Chairman Barry opened and read the following bids:

- A. Palmer Gas/Ermer Oil
 - Option #1 \$1.40 per gallon Until April 30, 2010
 - Option #2 \$.45 over Selkirk Posting Price (04-20-09 Price \$1.24)

- B. Rymes Heating Oils
 - Option #1 \$1.449 per gallon September 1, 2009 thru May 31, 2010
 - Option #2 \$.40 over Rymes Heating Oils Daily Cost

- C. Energy North Propane
Option #1 \$1.75 per gallon Until May 31, 2010
Option #2 \$.60 over Energy North's laid in price

Chairman Barry mentioned there could be a cost to change providers with respect to the tank. Going for the lower price might be negated by the cost of installing another tank. Selectman Hooker asked if the Town owned the tank, and maintained it, could any vendor fill it. Chairman Barry's experience is that some companies balk at filling a tank that does not belong to them.

Vice Chairman Robertson favored taking the recommendation of Mark Tibbetts, and continuing with Rymes, as the equipment is in place and the service has been good. There was a question of how many gallons were required to which Mark Tibbetts replied 4,000 gallons. Mr. Tibbetts said that next year an exact number of gallons would be available.

Chairman Barry suggested when propane gas goes out to bid he would like the Board to consider a long-term agreement with a company. Chairman Barry agreed with Vice Chairman Robertson that the Town should stay with Rymes this year as costs may be associated with the installation of a new tank if the Town goes with another firm. Selectman O'Neal calculated the difference between Rymes and Palmer to be approximately \$200.

MOTION: Selectman John Reagan made a motion to award the bid to Rymes as there is an assumption some installation of equipment would be required from other vendors. Seconded by Vice Chairman R. Andrew Robertson.

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

Philbrick James Library Trustees/Government Buildings:

Present: Kathy Berglund, Chair-Philbrick James Library Trustees; Maureen Mann and Greg Doane, Trustees

Also Present: Mark Tibbetts, Building Maintenance Supervisor

1. Librarian/Jury Duty

Kathy Berglund announced that Evelyn DeCota, Librarian, has been called to Jury Duty.

2. Septic Tank/Lift Project

Kathy Berglund said the Library Trustees have learned that Bruce Mason, of All-Ways Accessible, has a subcontractor who would do the work concerning the septic tank. Mr. Mason advised the Trustees that the Selectmen would be required to sign a waiver should the decision be made to go with someone other than Mr. Mason's subcontractor. All-ways Accessible is licensed to do septic systems therefore the waiver would not be required.

Mrs. Berglund spoke with Rick Pelletier, Code Enforcement Officer, who confirmed what Mr. Mason was saying to be true. Mr. Pelletier understood, because a slab was to be constructed, why Mr. Mason would want things done that way. Chairman Barry pointed out that when digging six to eight feet deep a lot of settling can take place and compaction would be required at intervals as the hole is filled.

Kathy Berglund already saw this as a quasi emergency that needed to be done. The Library Trustees asked Paul Smith to start the work. Mr. Smith was not aware of the compaction requirement or the Town signing a waiver. Should a waiver be drawn up, it would be reviewed by Rick Pelletier before it is presented for signature. In a conversation with Rick Pelletier, it was learned Mr. Smith did not have a compactor and would have to rent one. Mr. Smith understood the benefits to awarding the entire job to All-ways Accessible.

Vice Chairman Robertson thought a frost wall would be constructed but instead it will be a slab which brought him to think it would be better to go with the General Contractor as long as Paul Smith's feelings were not hurt. Kathy Berglund said neither she, nor Paul Smith, wanted the liability for the Town.

The Selectmen asked the Library Trustees to come back to the Board with the final pricing for all of the work involved in the Library lift project.

2. French Drains

Chairman Barry had reviewed the copies of minutes provided by the Library Trustees and could clearly see that he made the motion to have the French drains installed. Chairman Barry said Selectman O'Neal had crunched the numbers and found money that could make the project happen and help Paul Smith by giving him the job to install the drains. Selectman O'Neal believed a savings of \$13,000 would be realized in the heating oil line as the cost per gallon had dropped as a result of the bid process for heating oil.

Mark Tibbetts said the cost of the drains in 2007 was \$4,000. In 2008, the cost was the same. Chairman Barry stated that if the Board is in agreement, Chairman Barry would seek authorization to go forward with the project with the idea there are savings, in the heating oil line, of approximately \$13,000 which could be used to fund the drain project.

MOTION: Selectman Walter Hooker made a motion that the French drains, around the Library, be installed by Paul Smith for no more than \$4,000. Seconded by Vice Chairman R. Andrew Robertson.

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

Chairman Barry summed up the action taken that Paul Smith has been authorized to spend up to \$4,000 to install the French drains around the Library and if that should not be the correct price, the Library Trustees should return to the Board of Selectmen for approval to spend in excess of \$4,000.

Mark Tibbetts mentioned a couple of the bushes would have to be removed and put back. Maureen Mann did not think the bushes would have to be put back in place.

3. Railing Installation

The railing in the back area that was promised when the wall was built has not been done. Mark Tibbetts agreed the railing had not been installed but would see that it is done. Chairman Barry said the Board would appreciate Mr. Tibbetts handling this matter.

Bid Policy/Procedure/Alternate Bid Policy/Purchase Order Policy-Adoption:

1. Bid Policy/Procedure

#7

The Board reviewed suggested changes to the Bid Policy/Procedure. One item requiring further discussion was invitations to bid being mailed to some vendors which raised a concern that if someone was left off the list could the Town be challenged. The Selectmen suggested adding language that the Board reserves the right to mail, or not mail, the invitations which would clarify things. Vice Chairman Robertson saw the importance of the mailings because, in the past, the Board has received one bid, or no bids, for some bid processes.

#11 and #12

Changes were made to #11 and #12 to agree with the Board's desire to allow e-mail or faxed bids. These changes allowed the Selectmen do either a sealed, e-mail or faxed bid process. Selectman O'Neal asked how the Board was going to proceed with #11 and #12. Chairman Barry saw the edits as covering all bases. Selectman Hooker said depending on what bid process is needed this left the door open to use any of the options provided.

- MOTION:** Vice Chairman R. Andrew Robertson made a motion to adopt the Bid/Policy Procedure, as amended this evening, as the official Bid/Policy Procedure of the Town of Deerfield. Seconded by Selectman Alan O'Neal.
- VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Bid/Policy Procedure is adopted, as amended. An original Bid/Policy Procedure will be provided to the Selectmen, for signature, on May 18, 2009.

2. Alternate Bid Policy

- MOTION:** Selectman Walter Hooker made a motion the Alternate Bid Policy be adopted as presented. Seconded by Vice Chairman R. Andrew Robertson.
- VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. An original Alternate Bid Policy will be provided to the Selectmen, for signature, on May 18, 2009.

3. Purchase Order Policy

- MOTION:** Selectman Alan O'Neal made a motion the Purchase Order Policy be adopted as presented. Seconded by Vice Chairman R. Andrew Robertson.
- VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. An original Purchase Order Policy will be provided to the Selectmen, for signature, on May 18, 2009.

Review of Outstanding Minutes/April 20, 2009:

- MOTION:** Vice Chairman R. Andrew Robertson made a motion to approve the Minutes of April 20, 2009 as written. Seconded by Selectman Walter Hooker.
- Correction:** Page 8 of 10, 4th paragraph, first sentence, change sentence to read as follows:
"Selectman Reagan said the intent of the policy is to cover residential waste of Deerfield residents."
- VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The April 20, 2009 Minutes are approved with the above noted correction.

Vouchers:

Accounts Payable Manifest/\$11,289.57

- MOTION:** Vice Chairman R. Andrew Robertson made a motion to approve the Accounts Payable Manifest in the Amount of \$11,289.57. Seconded by Selectman John Reagan.
- VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Payroll Manifest/\$42,389.79

- MOTION:** Vice Chairman R. Andrew Robertson made a motion to approve the Payroll Manifest in the amount of \$42,389.79. Seconded by Selectman John Reagan.
- VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Signatures Requiring a Vote:

1. Elderly Exemption
- A. Map 416 Lot 078/John and Thelma Beckett
- MOTION:** Vice Chairman R. Andrew Robertson made a motion to grant the Elderly Exemption for Map 416 Lot 078, John and Thelma Beckett. Seconded by Selectman Alan O'Neal.
- VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.
2. Notice of Abatement & Refund/Granted
- A. Map 424 Lot 093-018/Alexander & Lisa Asselin
- Reason:* Homeowner filed based on disproportionate assessment and provided three comparable properties. After an interior inspection, and a conversation with homeowner, changes made.

MOTION: Vice Chairman R. Andrew Robertson made a motion the Board take the recommendation of the Town's Assessor and grants the abatement request Map 424 Lot 093 Sub Lot 018, Alexander Asselin and Lisa Asselin.
Seconded by Selectman Alan O'Neal.

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

Signatures Not Requiring a Vote:

1. Intent to cut
Map 414 Lot 143/Joanne Bradbury

2. Land Use Change Taxes
 - A. Map 420 Lot 65 Sub Lot 001/Bradford Sawler Amanda Sears/\$11,000
 - B. Map 422 Lot 007/Donald and Catherine Helie/\$2,600

Review of Correspondence:

1. Analysis of Assessments-Tornado Damage/Avitar Associates of N. E., Inc.
Chairman Barry remarked that he was impressed with the effort the Assessor has put into the booklet reflecting the changes to assessments due to the tornado damage. Chairman Barry suggested the Board study the document first before taking any action.

Selectman Hooker questioned who authorized this work to be done in this way. Chairman Barry pointed out the changes would have been done anyway whether in this format or another.

Penny Touchette, Assessing Clerk, created a spreadsheet in an abbreviated format outlining the assessed values for each parcel affected. Selectman Hooker preferred a complete summary from the beginning to the end showing the map, lot, address, old value, new value and comments for each parcel. This can be accomplished in either Word or Excel and would assist the Selectmen in their review process.

The total cost associated with the booklet and a PDF document, which could be e-mailed to all Board members, were also requested. Chairman Barry indicated Avitar will be asked for the information. Board members should familiarize themselves with this information prior to the next meeting.

2. Letter of Resignation/Patrolman Amber Marchio

The Board of Selectmen was in receipt of a letter of resignation from Patrolman Amber Marchio.

MOTION: Selectman Alan O'Neal made a motion the Board accept the resignation with regret and send a letter thanking Officer Marchio for her service to the community. Seconded by Selectman Walter Hooker.

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

MOTION: Selectman John Reagan made a motion to instruct the Chief of Police not to hire a replacement for Patrolman Marchio. There was no second for this motion.

Chairman Barry thought the Board should discuss filling the vacancy when Chief Greeley was in for his next appointment. Selectman Reagan pointed out that in the past Chief Greeley has just gone and done things and Selectman Reagan wanted to prevent an embarrassing situation.

Vice Chairman Robertson could see Board involvement for a new position in the Police Department but filling a vacancy where the position is already in place did not require Board intervention. Vice Chairman Robertson questioned what prompted not wanting to fill the vacancy. Selectman Reagan explained that some members are still working on understanding the scheduling of the Police Officers and had questions. Vice Chairman Robertson was interested in hearing Chief Greeley's thoughts.

Chairman Barry stated that the budget is in place, and it is an approved position, which meant the vacancy could be filled. Chief Greeley would bring his recommendation to the Board and make his case for filling the vacancy but the actual approval would come from the Board of Selectmen.

Selectman O'Neal believed Selectman Hooker ran out of time to finish the discussion concerning scheduling with Chief Greeley. There were questions asked and answers received but not all areas of concern were covered.

Chairman Barry indicated that the process could be put on hold until all the questions were answered. Vice Chairman Robertson agreed to that approach but wanted the Chief present to take part in the discussion.

Selectman Hooker mentioned hiring a certified Officer versus an Officer that would have to go through the Police Academy. Selectman Hooker's concern was funding as he heard that an Officer going through the Police Academy could cost the Town \$40,000. Chairman Barry recalled the Police Academy taking eight weeks to complete whereas starting a certified Officer, they can go right to work.

Selectman Hooker suggested the discussion should be discontinued until the questions regarding scheduling were answered.

3. Impact Fees/Quarterly Disbursement

Chairman Barry read the amounts held in Impact Fee Accounts.

Highways	\$42,015.90
School	\$ 3,759.73
Solid Waste	\$12,139.35

MOTION: Selectman John Reagan made a motion to hold the funds in the Highway and Solid Waste Accounts and move the School funds retaining 5%.

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

4. FEMA/State Reimbursement/April 2007

Chairman Barry notified the Board that a check in the amount of \$57,191 was received. This is the State portion of the FEMA funding for the April 2007 Floods.

5. Technical Release/N. H. Department of Revenue Administration (DRA)/Federal Stimulus Money
The DRA issued a Technical Release Bulletin describing the action Town's should take concerning Federal Stimulus Money. The Town would be required to have a Special Town Meeting. A sample schedule of posting requirements and a timeline were included in the release.

The Board thought that if the Town of Deerfield becomes aware of any stimulus money the Special Town Meeting could be set up at that time. The Police and Fire Department are working on the Safety Complex proposal and Highway Department is looking for road projects. No applications have been submitted.

Town Administrator's Report:

1. Bid Policy/Procedure

This was discussed earlier in the meeting. Original documents will be available at the May 18th meeting for signature by the Board of Selectmen.

2. Technical Information Release/Department of Revenue Administration (DRA)

The Technical Information Release was discussed earlier in the meeting.

3. **Assessment Information/2008 Tornado Damage**
Assessment information regarding tornado damage was discussed earlier in the meeting.
4. **Transfer Station Policy Update**
The Transfer Station Policy is currently being updated. The New Hampshire Department of Environmental Services (NHDES) will be contacted for any updates from that agency
5. **H1N1 Virus (Swine Flu)**
Rick Pelletier, Health Officer and Colleen Guardia, Deputy Health Officer, are receiving regular updates from State and Federal Officials. Postings and references pointing to the Manchester Health Department are on the Town Website. A copy of a notice that will be distributed with paychecks this week was provided to the Board.

Other Business:

1. **Transfer Station**
Selectman Reagan stated that the Transfer Station employees really think the Police Department should issue the stickers because it would provide control. The two attendants are understaffed on a Saturday and it isn't much better on Tuesday and Thursday.

Chairman Barry did speak to Chief Greeley who indicated that all day Saturday was out of the question. Selectman Reagan saw this as an opportunity for the Police Department to have a friendly presence and demonstrate service to the community. Chairman Barry said Chief Greeley pointed out to him that placing an Officer at the Transfer Station on Saturday, all day, could only be done if the Board of Selectmen authorized overtime. One hour every day the Transfer Station was open was not a problem.

Chairman Barry asked the Board how they would like to handle this matter. Selectman Reagan suggested directing the Chief of Police to rearrange the work schedule to accommodate Saturday coverage at the Transfer Station. Selectman O'Neal agreed with Selectman Reagan. For the first three weeks, when the new stickers are issued, the Police Department should be willing to help out by a presence at the Transfer Station and understand that it is a service.

Chairman Barry agreed with the sentiment but suggested that Chief Greeley be asked to attend the May 18th meeting. Vice Chairman Robertson did not like making decisions for Department Heads, who at the very least, should be included in the discussion. The Board could continue their discussion once they know what the Chief of Police can accommodate.

At a minimum, Selectman O'Neal looked to have an Officer patrol through the Transfer Station. An Officer could spend at least an hour checking stickers which would leave the residents with an understanding that the Transfer Station is for residents only.

Selectman O'Neal, through the Chair, asked Selectman Reagan if he could speak with the Transfer Station Attendants and learn what the busy time of day is on Saturday. Selectman Reagan replied Saturday is busy all day and the assistance of a Police Officer is needed. Selectman O'Neal still wanted to know what the Transfer Station Attendants thought about the busiest time on Saturdays.

It was determined that Chief Greeley should bring the Saturday schedules to the May 18th meeting. Chairman Barry would want to hear from Chief Greeley as to what he is comfortable with. Selectman Reagan remarked that the Board was not telling him how to schedule but asking for an Officer to be present three Saturdays in a row.

Chairman Barry had a problem telling the Chief how to schedule his people. Selectman Reagan did not see it that way. Vice Chairman Robertson reiterated he didn't want the Board making decisions for Department Heads.

Selectman Reagan mentioned another problem revolves around stickers being placed on pickup trucks driven by a resident but registered to a company the resident works for. These vehicles are used to truck the resident's waste to the Transfer Station. Selectman Reagan thought there should be some sort of policy covering this. Other Board members thought the issuance of a sticker covered this because it tells an attendant who is supposed to be there and who is not. Selectman Reagan wanted to identify people who work for an out of town firm and use that company's truck to take their residential waste to the Transfer Station. The policy should indicate what is allowed.

It was mentioned, regardless of the sticker, the Transfer Station Attendants verify who is supposed to be there or not. Chairman Barry said further verification could be obtained by requesting a tax bill. Selectman O'Neal added the attendant would then affix the sticker to the window. Vice Chairman Robertson thought there would always be some gray areas and this is one of them.

Selectman O'Neal expanded on the work vehicle issue mentioning that when a new work vehicle is assigned to someone perhaps they could bring the old sticker back. Selectman Reagan said another option was to say no, company vehicles cannot be used.

2. Alvah Chase Land/Deerfield Conservation Commission (DCC)

Vice Chairman Robertson reported that he spoke with Serita Frey and Dave Linden from the Conservation Commission. The DCC has hired James Franklin to do the survey and it is anticipated that work could take between one and three days. Vice Chairman Robertson urged the DCC to get the survey to the Board of Selectmen as soon as possible. Selectman O'Neal also spoke with Dave Linden.

Vice Chairman Robertson pointed out that a certain amount of safety exists because Fort Mountain Timber, Jeff Eames, is the logger and he has no desire to pay dooamage fees over contested property lines. The results of the survey are due mid-week to end of the week.

Citizen's Comments:

1. Maureen Mann/Clarification on Police Department Scheduling

Maureen Mann asked for clarification and the request to obtain information from the Chief of Police about the ten hour day versus the eight hour day. Mrs. Mann wasn't sure if both Selectman Reagan and Selectman Hooker had met with Chief Greeley. Chairman Barry said Selectman Hooker and Selectman Reagan were asking for this information.

Selectman Hooker said he had met with Chief Greeley concerning schedules. Maureen Mann asked the outcome of the meeting. Selectman Hooker said he would need to meet with Chief Greeley again as time ran out before he could obtain all the information. Selectman Reagan stated he had never heard from the Chief of Police.

2. Maureen Mann/Police Cruiser

Maureen Mann asked when the new Police Cruiser would arrive. Chairman Barry thought it would be several more weeks.

Adjournment:

6:58pm

Selectman Alan O'Neal made a motion to Adjourn. Seconded by Selectman Walter Hooker. Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The May 4, 2009 meeting is adjourned.