

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
May 18, 2009
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, 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.

6:01pm Chairman Barry announced the Board would be entering a closed session with Town Counsel.

6:28pm The Selectmen's Meeting resumed.

Citizen's Comments:

There were no citizen's comments.

Philbrick James Library Trustees:

Present: Kathy Berglund, Chair of the Philbrick James Library Trustees and Maureen Mann, Trustee

Also Present: Mark Tibbetts, Building Maintenance Supervisor

1. Septic Tank Removal/Installation of New Tank

Kathy Berglund reported the Trustees have learned the cost replacing the septic tank might be \$3,000.

The Library Trustees believe they can pay for half of this expense.

Chairman Barry suggested pumping the old tank and filling it with sand which would then allow Paul Smith to install the new tank, reroute the line and save the Library some money. Mrs. Berglund thought while the idea was good it didn't take away the liability issue. Selectman O'Neal pointed out the new tank would be located in a different area. Mrs. Berglund questioned if the ground around the new tank needed to be compacted. To the Selectmen's knowledge, if the old tank was filled and left in place, the base would be there for the installation of the lift.

Mrs. Berglund was still not comfortable with the liability issue which would stem from not compacting the area and wanted to be sure Mr. Mason was informed of the process. The Selectmen did not see a need for compaction as the area was not being disturbed and filled.

Vice Chairman Robertson asked if the Trustees had a problem waiting until Tuesday when Rick Pelletier, Code Enforcement Officer, returned from vacation. Mrs. Berglund said she could contact Mr. Pelletier regarding the new approach to the site work but didn't know that Paul Smith would still want the job as he filled his plate with other jobs. Mark Tibbetts pointed out Paul Smith did want the job earlier and does have the job to install the French drains leading Mr. Tibbetts to think both could be done at the same time. Mark Tibbetts will check with Paul Smith to be sure he wants the job.

The Board requested the Library Trustees return the first week in June after everyone has talked it over. Selectman O'Neal did not see the need to wait as Rick Pelletier approved the job. Other members of the Board saw this job as contingent upon Paul Smith. Kathy Berglund agreed to check with Mr. Mason concerning the need for a liability waiver.

MOTION: Selectman Alan O'Neal made a motion to authorize, with the approval of the Building Inspector, filling the old septic tank and have Paul Smith install another tank in a new location.

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

The Board directed Kathy Berglund and Mark Tibbetts to check with Rick Pelletier as to whether or not this can be accomplished and also check on the availability of Paul Smith.

2. French Drains

Mark Tibbetts reported speaking with Cindy Richards and Dick Verville of the State Office of Emergency Management. Ms. Richards advised Mr. Tibbetts the paperwork for the grant (French Drain installation) got pushed aside but it was now located. Mr. Verville assured Mr. Tibbetts the money was available and to advise the Selectmen and Town Administrator. Mr. Tibbetts has a few things to work through with Paul Smith to keep the cost of the French drains around \$4,000. The Town is eligible for 50% of the total cost.

3. Installation of Railing

Chairman Barry questioned whether or not the railing was installed. Mark Tibbetts contacted two people and is waiting for prices.

Police Department:

Present: Police Chief, Michael Greeley

1. Transfer Station/Issuance of New Stickers/Police Department's Role

Chairman Barry stated that members of the Board of Selectmen have requested that a Police Officer be at the Transfer Station for the first three Saturdays the new stickers are issued. Vice Chairman Robertson didn't believe a Police Officer should be applying stickers to vehicles. Chairman Barry's take on it was the Police Officer didn't need to affix the stickers but the attendants might get back logged and Police Department could spend some time helping out.

Selectman Hooker thought if stickers were distributed at the Transfer Station, the old one could be taken off, the new one put on and a record kept. Chairman Barry could see that extra effort will be required but in a few weeks the changeover would be complete. Selectman Reagan questioned why they couldn't be changed all at one time. Chairman Barry didn't see a problem with changing the stickers all at once but didn't see a need to do it that way.

Selectman O'Neal asked if anyone checked with the Transfer Station Attendants to see what they can do or not do. Vice Chairman Robertson did not find it appropriate to affix stickers to people's vehicles. Chairman Barry suggested observing that stickers were affixed to the vehicle. Vice Chairman Robertson didn't believe the Transfer Station Attendants were asked if they would watch someone place the sticker on the vehicle.

Selectman O'Neal wanted a better understanding of what would occur when the new stickers were issued. Would it then be if a vehicle did not have a gold sticker they could not dump their trash? To Selectman O'Neal this was placing a big burden on the Transfer Station Attendants. While not fully agreeing with an eight hour day for Police coverage, some Officer support to take care of the less happy individuals would be good. Selectman O'Neal said Lenny Mandigo would know when the busy times are on Saturday and an Officer could be scheduled for those times.

Selectman Reagan remarked that the Transfer Station employees have responsibilities dictated by the State of New Hampshire and they have to perform those duties. Because of this, time doesn't allow them to be doing things like issuing stickers on a busy day like a Saturday. In the past, the Board of Selectmen acknowledged the need for a third person at the Transfer Station. Selectman Reagan didn't think this would be a burden on the Police Department.

Vice Chairman Robertson didn't see a problem with getting a dump sticker in the same fashion that is done in other small Town's, when you register a car. There could be an occasional person this might not work for but he didn't think much time should be taken up, for two or three Saturdays, by law enforcement.

Chairman Barry indicated there was an e-mail in the correspondence, from a resident, suggesting the issuance of stickers when a resident registers a car. Kevin Barry, Town Clerk/ Tax Collector was asked for his thoughts on this suggestion. Mr. Barry did not favor having the Town Clerk/Tax Collector's Office issuing stickers.

Selectman Reagan brought forward the idea of having all stickers issued by the Police Department during their normal business hours. Vice Chairman Robertson foresaw a problem with "normal business hours" as that pertains to the Police Department. Stating stickers could be obtained between Monday and Friday might be another option.

Chief Greeley pointed out that Officer Amber Marchio had left and the schedule would need to be re-adjusted. There would be no way he could schedule an Officer at the Transfer Station all day on Saturday without paying overtime.

Selectman Reagan suggested that the Selectmen write the Police Department's schedule. Chairman Barry stated that he, personally, had no interest in writing the Police Department schedule. Chief Greeley commented he did not want to get into a discussion on scheduling this evening.

Selectman O'Neal asked that the Board work out the logistics of issuing the Transfer Station stickers. One area not covered was new vehicles.

Chairman Barry suggested setting aside blocks of time for the issuance of stickers; Saturday 12pm to 2pm and Tuesdays and Thursdays 11am to 1pm. Selectman Reagan didn't see a problem with the Tuesday and Thursday hours. Chairman Barry questioned if Selectman Reagan meant only Tuesday and Thursday. Selectman Reagan explained that if stickers were issued a full day, on Saturday, the pressure of getting all the new stickers in place would only last for a few weeks then the crowd would lessen.

Vice Chairman Robertson didn't recall how he got a Transfer Station sticker when he first moved to Deerfield but he didn't believe he obtained a sticker from the Police Department.

Selectman O'Neal questioned if the objective was if a resident does not have a new sticker they would not be allowed to dump their trash. Before making that statement, Chairman Barry thought it would take a month, to a month and a half, to assure all stickers were issued. Selectman O'Neal suggested a Newsletter mentioning July 1st as a cutoff date to have obtained a new sticker.

A sample of the new gold sticker was shared with Board members. There was a place to write the year and the license plate number. The idea is whoever hands the stickers out should place the sticker on the vehicle. Chairman Barry indicated as much media coverage as possible should occur publicizing the July 1st date as when the new gold stickers should be in place or the residents could not dump their trash.

The discussion returned to Transfer Station Attendants affixing stickers to vehicle. Vice Chairman Robertson did not want the employees affixing stickers as most vehicles coming into the Transfer Station have a dog in the front seat. Chairman Barry suggested the attendant observe the individual affixing the sticker. Selectman Reagan remarked that as Selectmen they were not enforcement officers and the Town has a department that handles enforcement.

Chief Greeley saw sticking a hand in the window of a vehicle as a liability and thought watching the person affix the sticker was more appropriate. Selectman Reagan asked who was going to watch. Chairman Barry said the Police Department and/or the Transfer Station Attendants. Selectman O'Neal suggested that some Saturdays the Selectmen could be there to lend a hand and support the Transfer Station employees. Chairman Barry added that every day the Transfer Station is open the Police Department could ride through at various times. Selectman O'Neal saw the need to support the attendants on Saturdays and mentioned preparing a schedule outlining when a Selectman could assist.

Selectman Hooker saw value in a Town Newsletter, perhaps including other news, because not everyone has the Internet or looks at The Forum or Reader Board. Maureen Mann was recognized and advised the Selectmen the printed edition of The Forum would be coming out soon and asked the Board to submit an article. This task was delegated to Selectman Hooker.

A recap of the information to be included was: (1) A deadline of July 1st for the new gold stickers to be in place. (2) Stickers will be handed out Tuesday and Thursday, 11am to 1pm. (3) The Transfer Station Attendants will observe the sticker being put into place. (4) All forms of notification will be used to get the word out. (5) Stickers will be issued Saturday 11am to 1pm. (6) Assistance will be provided by Selectman O'Neal and Selectman Hooker on Saturdays. (7) A schedule will be set up for the first three Saturdays.

Chief Greeley questioned if the Board wanted an hour a day, for police coverage, when the Transfer Station is open. Selectman Reagan requested the minutes reflect his observation that the police are unwilling to cooperate for eight hours, 3 Saturdays, 24 total hours of work, to provide coverage. To Selectman Reagan, this cooperation is very necessary for the procedure to work and provides control over who has the stickers as the Town has to pay to haul all the trash away.

Chairman Barry disagreed stating the Town pays the Police Department to protect the Town 24/7, 365 days a year, not issue Transfer Station stickers. Selectman Reagan responded that a police presence protects the Transfer Station Budget.

Vice Chairman Robertson stated, for the record, that he did not find the Police Chief uncooperative.

Selectman Reagan drew the Board's attention to the overtime pay request noting this would be costly. Vice Chairman Robertson didn't see the need for overtime as there were Officers to cover the shifts.

2. Scheduling of Police Officers

Overtime pay and the availability of eight Officers led to the topic of scheduling and the question of whether or not Chief Greeley had met with Selectman Hooker to complete the discussion they started several weeks ago. It was learned they had not met but would set aside some time within the next few weeks. Selectman Reagan was asked if he could meet with Chief Greeley as well. Selectman Reagan answered that if the Chief would let him know when he was in, he would be there. Chief Greeley stated the Town Administrator has his schedule as to what days he has off.

3. Vacancy/Police Officer

To Vice Chairman Robertson schedules and whether or not to fill vacancies is something that should come up for discussion with the Selectmen and Chief Greeley during the budget process. The Selectmen approved the Police Budget, followed by approval from the Municipal Budget Committee (MBC), the MBC Public Hearing and the Deliberative Session. The budget moved on to the Town who, by their vote, supported the Town Budget, Police Budget included. Some 60 days later, there is now discussion of whether or not all the coverage is needed. Vice Chairman Robertson considered this a knee-jerk reaction. If this was to be accomplished, it should have been at budget time because what manpower is needed is taken into account with a proposed budget. Coming at this in May, two months later, does not fly.

Following up on Vice Chairman Robertson's remarks, Selectman O'Neal saw the vacancy as creating the opportunity to discuss filling the vacancy. Selectman O'Neal thought it better to happen this way than impose a layoff and suggested taking a couple of weeks to look at it further rather than wait until budget season. It was Selectman O'Neal's opinion the opportunity and situation is here now and should be looked at. Vice Chairman Robertson saw the logic but stood by his earlier comments.

Chief Greeley wanted to fill the vacancy and indicated the process could take two or three months. If the advertisement is for a certified Officer, which is what Chief Greeley preferred, the Town could save money. Chief Greeley referred to Vice Chairman Robertson's remarks regarding the budget process, specifically the Police Budget and Police Officers. Chief Greeley agreed the budget should stand as written because the voters did not vote to remove anybody or any money. The Police Budget is a bare bones budget and Chief Greeley wanted to keep it in place.

Chief Greeley described coverage and the need to double up if someone is on vacation, sick or injured. There is also the matter of the amount of area that the Deerfield Police Department is required to cover. If an Officer is in Bear Brook and is called to the other side of Deerfield, it takes 20 minutes to respond. Chief Greeley asked the Board if they would be willing to wait that length of time for a response. To Chief Greeley, this presents a severe liability and the public does not have the coverage they deserve.

Having talked with an Officer in another community, and hearing the Officer could not take a cut in pay to come to Deerfield, Chairman Barry wondered how likely it was that an Officer could be hired at Officer Marchio's pay. Chief Greeley replied he would have to view the applications, and it often depends on where they are coming from, but the pay could be an issue. Chairman Barry thought Chief Greeley might have a difficult time filling the vacancy with a certified Officer.

Selectman Hooker didn't have a problem with starting the process but would not want to see a recommendation brought forward just yet. Advertising the position is one thing but to get their hopes up that they would be hired concerned Selectman Hooker. Chief Greeley explained that even if the advertisement was placed tomorrow it would take an estimated three months to hire because of testing. Vice Chairman Robertson was okay with advertising. Selectman O'Neal was uncomfortable with advertising at this point and didn't see that it would hurt to wait two weeks after Selectman Hooker had a chance to talk to Chief Greeley about scheduling. The Board agreed to discuss filling the vacancy in two weeks, June 1st.

4. Animal Control/Job Description

Chief Greeley submitted the Job Description for the Animal Control Officer. He asked the Board to review the Job Description and advise him if it was not sufficient.

Review of Outstanding Minutes/April 27, 2009:

MOTION: Vice Chairman Robertson made a motion the April 27th Minutes 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 April 27, 2009 stand approved as written.

Review of Outstanding Minutes/May 4, 2009:

MOTION: Selectman Walter Hooker made a motion the May 4th Minutes be approved as written. Seconded by Vice Chairman R. Andrew Robertson.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Minutes of May 4, 2009 stand approved as written.

Vouchers:

Payroll Manifest/\$43,344.20

MOTION: Vice Chairman Robertson made a motion the Payroll Manifest in the amount of \$43,344.20 be approved. Seconded by Selectman John Reagan.

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

Accounts Payable Manifests/\$288,848.33

(\$246.84, \$32,675.84, \$28,477.04, \$200.00, \$77.25 for a total of \$288,848.33)

MOTION: Vice Chairman Robertson made a motion the Accounts Payable Manifests totaling \$288,848.33 be approved. Seconded by Selectman John Reagan.

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

Signatures Requiring a Vote:

1. Tax Collector's Warrant/2009 First Half Tax Bill/\$5,683,027

MOTION: Selectman Alan O'Neal made a motion the Selectmen sign the Tax Collector's Warrant for the 2009 First Half Tax Bill. Seconded by Vice Chairman R. Andrew Robertson.

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

2. Request for Refund/Town Clerk/Tax Collector

A. Richard Gilson/2 Whittier Road/\$458

Reason: An Elderly Exemption was granted but the entire bill was paid. The second half bill of 2008 didn't reflect the credit. The refund is due.

MOTION: Vice Chairman R. Andrew Robertson made a motion to approve the refund request for Richard Gilson. Seconded by Selectman John Reagan.

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

3. Elderly Exemptions/Veteran's Tax Credits/Granted

A. Map 405 Lot 058/William Hartigan and Elsie Hartigan

MOTION: Vice Chairman Robertson made a motion that the Selectmen grant the Elderly Exemption/Veteran's Tax Credit for William Hartigan and Elsie Hartigan, Map 405 Lot 058. Seconded by Selectman John Reagan.

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

B. Map 424 Lot 54/Paul M. Taylor and Lorraine A. Taylor

MOTION: Vice Chairman Robertson made a motion that the Selectmen grant the Elderly Exemption/Veterans' Tax Credit for Paul Taylor and Lorraine Taylor, Map 424 Lot 54. Seconded by Selectman John Reagan.

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

- C. Map 424 Lot 003/Gardner Hurlbutt
MOTION: Vice Chairman Robertson made a motion that the Selectmen grant the Elderly Exemption/Veteran's Tax Credit for Gardner Hurlbutt, Map 424 Lot 003. Seconded by Selectman John Reagan.
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.
4. Elderly Exemption/Denied
A. Map 202 Lot 014/Donald Damon and Marie Damon
Reason: The assessor recommended denial of this application as the applicant's income exceeded the income limits.
MOTION: Vice Chairman Robertson made a motion that the Selectmen deny the Elderly Exemption for Donald Damon and Marie Damon. Seconded by Selectman John Reagan.
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.
5. Elderly Exemption/Granted
A. Map 416 Lot 073/Marion Mead
MOTION: Vice Chairman R. Andrew Robertson made a motion that the Selectmen grant the Elderly Exemption for Marion Mead, Map 416 Lot 073. Seconded by Selectman John Reagan.
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.
6. Notice of Computer Abatement/Granted
A. Map 201 Lot 053, 012 and 005 (Timber Tax Operation) Joyce Yeaton
Reason: Salvage from July 2008 tornado. Landowner did not receive monies from the sale of the wood. The sale of the wood covered the cost of the operation and cleanup.
MOTION: Vice Chairman R. Andrew Robertson made a motion the Selectmen grant the abatement for Joyce Yeaton, Timber Tax Operation, Map 201 Lots 053, 012 and 005. Seconded by Selectman Alan O'Neal.
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.
7. Notice of Abatements/Denied
A. Map 414 Lot 001/Timothy Russell and Kelly Russell
Reason: Application for abatement was received after the March 1, 2009 deadline. The Town's Assessor performed an interior inspection on the property. Bathroom count was corrected. There was no change in value.
MOTION: Selectman Walter Hooker made a motion to take the Assessor's recommendation and deny the abatement request for Timothy Russell and Kelly Russell. Seconded by Vice Chairman R. Andrew Robertson.
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.
- B. Map 208 Lot 085/Yvette Deveau-Hurd and Robert Griggs, Sr.
Reason: Application for abatement was received after the March 1, 2009 deadline. The Town's Assessor performed an interior inspection on the property, data corrections were made and all adjustments will be reflected on the 2009 tax bill.
MOTION: Vice Chairman Robertson made a motion to accept the Assessor's recommendation and deny the abatement request for Yvette Deveau-Hurd and Robert Griggs, Map 208 and Lot 085. Seconded by Selectman John Reagan.
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

C. Map 208 Lot 086/Yvette Deveau-Hurd

Reason: Application for abatement was received after the March 1, 2009. The Town's Assessor performed an interior inspection on the property, data corrections were made and all adjustments will be reflected on the 2009 tax bill.

MOTION: Vice Chairman R. Andrew Robertson made a motion to accept the Assessor's recommendation and deny the abatement for Yvette Deveau-Hurd, Map 208 Lot 086. Seconded by Selectman Alan O'Neal.

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

8. Notice of Abatement & Refund/Granted

A. Map 416 Lot 043/Robert Koch and Leokadia W. Koch

Reason: Homeowner requested an abatement due to data errors on the property card. An interior inspection was performed and data corrections were made to correctly show the three quarter story and the half story areas of the basement garage.

MOTION: Vice Chairman Robertson made a motion to accept the Assessor's recommendation and grant the abatement for Robert Koch and Leokadia Koch, Map 416 Lot 043. Seconded by Selectman John Reagan.

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

B. Map 411 Lot 001/William T. Farley

Reason: Property owner filed an abatement based on the home being in poor condition, uninhabitable and a declining market. Property owner was not available for an interior inspection, so an exterior review of the property was requested and performed. Data corrections made were a 5' x 17' area of the home was changed to an enclosed frame porch. Home was already listed in poor condition.

MOTION: Vice Chairman R. Andrew Robertson made a motion to grant the abatement and make the corrections indicated by the Assessor. Seconded by Selectman John Reagan.

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

Signatures Not Requiring a Vote:

1. Letters for the Selectmen's Signature

- A. Mark Tibbetts/Thank You for assisting with moving Planning and Conservation files.
- B. James Alexander/Thank You for service to community as Transfer Station Director.
- C. Patrolman Amber Marchio/Accept resignation, with regret, and Thank You.

2. Bid Policy/Procedure/Effective May 18, 2009

Chairman Barry asked if the Board was prepared to sign the official copy of the Bid Policy/Procedure. The Board was in agreement. The Bid Policy/Procedure was signed.

3. Alternate Bid Policy Procedure/Effective May 18, 2009

Chairman Barry asked if the Board was prepared to sign the official copy of the Alternate Bid Policy/Procedure. The Board was in agreement. The Alternate Bid Policy/Procedure was signed.

4. Purchase Order Policy/Effective May 18, 2009

Chairman Barry asked if the Board was prepared to sign the official copy of the Purchase Order Policy. The Board was in agreement. The Purchase Order Policy was signed.

Chairman Barry thanked Mrs. Heon for preparing the Bid Policy/Procedure, Alternate Bid Policy/Procedure and the Purchase Order Policy.

5. Intents to Cut
 - A. Map 420 Lot 034/Paul and Trisha Hellings
 - B. Map 405 lot 024/Dwight Stevens/Jerry Harron/Gloria Harron
 - C. Map 419 Lot 027 Lot 001 thru Lot 38/Gina White/Jeff White
 - D. Map 405 Lots 28 and 34/Peter Lion
 - E. Map 413 Lot 64/Rene Darling
 - F. Map 410 Lot 43/Soe Soe Thwin
 - G. Map 410 Lot 72/Soe Soe Thwin
 - H. Map 410 Lot 42/Soe Soe Thwin
 - I. Map 413 Lot 2/Richard Chandler
 - J. Map 204 Lot 39/Richard Chandler

6. Land Use Change Tax Warrant
 - A. Map 207 Lot 56/Debra L. Matulaitis and Mark C. McNichol

Review of Correspondence:

1. Confidential File

MOTION: Selectman John Reagan made a motion the Board takes no action. Seconded by Selectman Alan O'Neal.

Discussion: Board members were not clear on what should be done and requested Cindy Kelley meet with them on June 1st.

MOTION WITHDRAWN:

Selectman John Reagan withdrew his motion. Selectman Alan O'Neal withdrew his second. The previous motion is withdrawn.

2. AFLAC

Cindy Kelley reported she had reviewed the AFLAC proposal and listed the insurance coverage the Town already has in place for employees. The Board requested a letter be drafted indicating the Selectmen are not interested in the AFLAC proposal.

Vice Chairman Robertson stated this type of proposal should come forward when the budget is being formulated and then it should come with a recommendation from a Department Head. Police Chief, Mike Greeley, commented he had nothing to do with the AFLAC proposal.

3. E-Mail/Erick Berglund/Dirt Track/North Road

Mr. Berglund wrote to the Selectmen advising them a dirt bike, ATV, track has been constructed at 12 North Road, complete with obstacles and jumps. The land is listed in Current Use, farmland, and a dirt bike track is not a permitted use.

Police Chief, Mike Greeley stated he is aware of this and the Police Department has already received four complaints over the past weekend. There was also a reported injury. Chief Greeley contacted Rick Pelletier, Code Enforcement Officer but there was nothing he could do. Should this become a nuisance, the Police could then step in. Selectman Reagan thought it sounded like it was in that category already.

The Board requested the information be forwarded to the Code Enforcement Officer and Assessing. The Police Chief was asked to monitor the situation.

4. E-Mail/Harriet Cady/Pot Holes Church Street

Mrs. Cady wrote describing potholes, two in particular, on Church Street. Alex Cote, Highway Agent, present at this time, stated the potholes had been filled in.

5. Letter/Lynne Morse/Alvah Chase Forest

A copy of a letter from Lynne Morse to Serita Frey, Chair of the Deerfield Conservation Commission (DCC) was provided to the Selectmen to make them aware of the lot line situation. Vice Chairman Robertson will follow up with Dave Linden and Serita Frey, of the DCC, as a survey of the Alvah Chase Forest was to have been in-hand and that does not appear to be the case.

6. E-Mail/Patrice Kilham/Issuance of Transfer Station Stickers

An acknowledgement of the e-mail will be sent to Mrs. Kilham thanking her for her suggestion.

7. Request/Fire Department/Release of Quarterly Appropriation (\$9,500)

Fire Chief, Mark Tibbetts requested the quarterly appropriation for the Fire Department be released on May 19, 2009 due to the number of unexpected repairs to Fire Department vehicles.

MOTION: Selectman John Reagan made a motion to release the appropriation to the Fire Department on May 19, 2009. Seconded by Selectman Alan O'Neal.

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

The Selectmen indicated to Chief Tibbetts they were aware that he is paying some of the costly repairs bills out of pocket. The Board did not want this practice to continue.

8. E-Mail/Lt. John Dubiansky/Transfer Station-Police Patrols

Chairman Barry summarized the content of the e-mail as a resident's concern that the Police patrolling the Transfer Station for eight hours a day is crazy. An acknowledgement will be forwarded to Lt. Dubiansky thanking him for sharing his concerns.

9. Letter/Explorer Counsel/Recognition-Chief Greeley

The Explorer Scouts wrote to the Selectmen recognizing Chief Greeley for his work with the scouts and teaching them about gun safety and basic shooting instructions. A Certificate of Appreciation was included with the letter. The Board acknowledged the letter and thanked Chief Greeley for a job well done.

10. Request for Waiver/Junior Girl Scouts/Use of Town Hall

MOTION: Vice Chairman R. Andrew Robertson made a motion the fee for use of the Town Hall, by the Girl Scouts, be waived. Seconded by Selectman Walter Hooker.

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

11. Letter/Avitar Associates of N. E., Inc./vanBerkum

Loren Martin, Appraiser for Avitar Associates, wrote a letter to the Selectmen describing the property adjacent to vanBerkum and changes that have occurred. The letter stated that due to the number of acres that have been disturbed the acreage would no longer qualify to remain in Current Use.

Vice Chairman Robertson spoke with Peter vanBerkum, as did other members of the Board. This has come up in the past and there was a difference of opinion between vanBerkum and Avitar as to what category plants that are in pots, opposed to plants that are rooted, would fall into. Mr. vanBerkum maintains he is not developing the land but waiting for the plants to grow.

Vice Chairman Robertson said he was in agreement with vanBerkum and urged Peter vanBerkum to come to the Board. While the Board may stick with the Assessor's recommendation that the land is not eligible for Current Use, the Board might waive the penalty, as they did in the past, because Mr. vanBerkum is not developing the land.

It was thought Mr. vanBerkum should send a letter to the Board and the Board could then issue a response concerning the matter. Vice Chairman Robertson brought the information to the Board, informally, that the land was not being developed but is agricultural land with no retail sales occurring. Vice Chairman Robertson thought this was the type of thing, that as a Selectman, he would think the Town of Deerfield would encourage.

Selectman Hooker said the spirit of the law is not that specific concerning what is in the soil or on top of the soil. Selectman Hooker suggested Mr. vanBerkum seek a recommendation from the Current Use Board.

Selectman Reagan said his understanding of Avitar's decision is that it was based on a court case Rousseau vs. City of Concord. This case dealt with a roadside plant stand wanting to be in Current Use but it was a retail business. Perhaps the wrong reason was given in support of vanBerkum's situation.

Vice Chairman Robertson suggested allowing the land it to remain in Current Use. Selectman Reagan supported Vice Chairman Robertson's request.

Selectman O'Neal questioned if Vice Chairman Robertson had visited the site. Vice Chairman Robertson replied yes. The piece of land in question is located between the vanBerkums and the Winslows property. The improvements consist of clearing and leveling the area. The land is essentially used by Peter and Leslie vanBerkum to grow plants. There was once protection from trees, prior to the tornado, because the plants were shade driven.

The vanBerkums will be asked to attend a Selectmen's Meeting.

Town Administrator's Report:

1. Vacancy/Welfare Administrator

With the hiring process complete, the recommendation of the Town Administrator, Mrs. Heon is that the Selectmen hire Denise Greig, as the Town's Welfare Administrator, at the rate of pay of \$882.71. The effective date to be mutually agreed upon between Denise Greig and Colleen Guardia but no later than June 10, 2009.

MOTION: Vice Chairman Robertson made a motion the Selectmen take the recommendation of the Town Administrator and hire Denise Greig as the Town's Welfare Administrator.

Discussion: Vice Chairman Robertson said that Ms. Greig is an excellent choice having worked within the community through the food Pantry and hand in hand with Colleen Guardia. Chairman Barry agreed Ms. Greig is a good choice.

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

2. Municipal Budget Committee (MBC) Recording Secretary/Board of Selectmen Recording Secretary/Counter Backup for the Town Clerk/Tax Collector's Office

The search for an MBC Recording Secretary has resulted in the Town Administrator's recommendation to hire Nese Farrell. The rate of pay for this position is \$12 per hour.

Nese Farrell would be primarily responsible for recording and transcribing the Minutes of the MBC Meetings. Jim Spillane is in agreement with hiring Nese Farrell.

To provide backup for recording and transcribing minutes to the Board of Selectmen's Meetings, it is proposed that Mrs. Farrell be employed on an on-call basis.

The Town Administration Budget, Part Time Employee Line, forfeited \$2,750 of the available \$3,610 to fund the 2008 audit leaving a balance of \$860. The estimated training time for this secretarial position is 40 hours and if paid at \$12 per hour the cost would be \$480.

To provide backup for the Town Clerk/Tax Collector's Office, Kevin Barry proposes that Mrs. Farrell be trained to do motor vehicle transactions and employed on an on-call basis.

The Town Clerk/Tax Collector's Budget, Part Time Employee Line, forfeited \$2,750 of the available \$6,009 to fund the 2008 audit leaving a balance of \$3,259. The estimated training time for this position is 80 hours and if paid \$12 per hour the cost would be \$960.

The Town Administrator recommended the Selectmen hire Nese Farrell, as an on-call employee, at a rate of pay of \$12 per hour, as the Secretary to the MBC, with other duties as outlined above and assigned by the Town Administrator and/or the Town Clerk/Tax Collector.

MOTION: Selectman Walter Hooker made a motion to follow the recommendations of the Town Administrator and hire Nese Farrell. Seconded by Selectman Alan O'Neal.

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

3. Transfer Station Director

There have been no inquires concerning the position of Transfer Station Director. This has been posted on the Website and the Reader Board.

During the past few weeks, publications and meeting notices have been received. These were previously handled by the Transfer Station Director. Mrs. Heon asked who this information should be forwarded to. Chairman Barry offered to have everything funneled through him, as Chairman. There was no disagreement among Board members.

Vice Chairman Robertson said that if this position remains unfilled, and a volunteer cannot be located, the Board may want to consider a public works position similar to what was discussed in the past. This is something that might have to wait until budget season to consider but it is worth looking at due to the instability that has existed at the Transfer Station for some time.

An inexpensive method of disposing of propane tanks came across Alex Cote's desk. Mr. Cote gathered information which was outlined, for the Board, in a spreadsheet format. Mrs. Heon asked the Selectmen how they would want to proceed with the disposal of propane tanks.

Alex Cote, Highway Agent, present at this time, reported he received information on removal of propane tanks from Blue Rhino. Anticipating an influx of propane tanks during the summer months, he thought it was worth looking at and asked Lenny Mandigo, Transfer Station Attendant, if he objected to Mr. Cote doing the research. Mr. Mandigo welcomed the assistance. The spreadsheet provided indicates that NRRRA is the better option for propane tank disposal. Mr. Mandigo requested that pick up occur Tuesdays or Thursdays. The Selectmen directed Mr. Cote to continue forward with this project and keep Lenny Mandigo informed.

4. Public Service Company of New Hampshire (PSNH)

Alex Cote, Highway Agent, and Mrs. Heon attended a meeting with representatives from PSNH. The primary reason for the meeting was to look at the route, through Deerfield, the new transformer would travel. Mr. Cote suggested representatives from PSNH come to Deerfield and see first hand the condition of the roadways and a site visit was scheduled.

Mr. Cote advised the Selectmen that Public Service Company of New Hampshire (PSNH) looked at the roads over which the transformer would travel. There is one section of Nottingham Road which requires repairs. Mr. Cote stated PSNH would fund the repairs.

The Board questioned if that meant PSNH would pay for the contractors and the Highway Agent would supervise. Mr. Cote replied yes.

The section of Nottingham Road to be worked on would end at the intersection of Mountain Road. PSNH was not concerned with the remainder of Nottingham Road or Cate Road. PSNH thought any areas in question could be plated making travel possible. PSNH has stated emphatically they are 200% responsible for the repairs to any roadway if they cause damage. Deerfield's engineer looked at the roadways as well and concurred with the PSNH engineer. Vice Chairman Robertson said he planned to attend the site walk but was not able to.

The Selectmen asked what method would be used to transport the transformer. Mr. Cote stated the transformer would be moved by rail to Manchester and then truck to Deerfield. Originally, the transformer was scheduled to be delivered in 2010. The plant in Germany offered PSNH a deal they could not refuse but delivery had to occur sooner. The deal was reached and delivery will be after Labor Day, in 2009. Selectman Hooker questioned if delivery would occur just before the Deerfield Fair. It wasn't clear but Chief Greeley hoped it would not be during fair time.

PSNH has a meeting with the Planning Board in June. A meeting will be scheduled, for June 1st or June 8th, for PSNH to return to the Board of Selectmen with an update.

5. 2008 Audit

On Thursday, May 13th, Cindy Kelley and Mrs. Heon met with Frank Biron, President, Karen Snow and Jen Crowley from Melanson Heath. A date of June 22nd was set to begin the 2008 audit. Ms. Snow explained when their firm performs an audit, for a new client, they spend more time due to the need to become familiar with the Town's accounting system. It is not anticipated that we will need a special audit as the FEMA funding, for 2008, did not exceed \$500,000. Once the audit is finalized, it will be published on the Town's Website.

Other Business:

1. Report/Tornado Damage/Avitar Associates of N. E., Inc.

Selectman Hooker found the damage report done by Avitar Associates of N. E., Inc. interesting. In some cases, the reduction exceeds the value of the land and the changes in assessment decrease the value of the home even if the home was not damaged. Selectman Hooker just wanted to understand if there was some magic included in the calculation somewhere.

Citizen's Comments:

1. Kathy Shigo/Transfer Station Stickers

Kathy Shigo questioned how a sticker would be obtained if the only thing the individual needed it for was Veasey Park. Chairman Barry replied the Board was not aware the stickers would not be good at Veasey Park and there is only one place to get them, the Transfer Station. Mrs. Shigo suggested the stickers be available at the Highway Shed.

2. Kathy Shigo/Public Service Company of New Hampshire (PSNH)

Kathy Shigo heard what Alex Cote, Highway Agent, said regarding Nottingham Road and Cate Road. She was dismayed that all PSNH was going to do is put a plate down when the roads are in disrepair and she didn't understand why PSNH would not fix the roads. Mr. Cote indicated Mrs. Shigo was correct that

putting plates down was what PSNH intended to do. Mrs. Shigo found this unacceptable due to the weight of PSNH vehicles and possible further damage that could occur.

Chairman Barry said that PSNH is due to come before the Board either June 1st or June 8th and suggested Mrs. Shigo attend the meeting to learn the answers to her questions directly from PSNH.

Kathy Shigo mentioned speaking with Mr. Cote regarding what repairs would be necessary when the transformer came into Deerfield. Mr. Cote indicated he expressed his position on road repairs to PSNH. Mrs. Shigo asked why the plating option. To Mr. Cote's knowledge, the reason was it would distribute the weight of the trailer more evenly. Mrs. Shigo did not understand why the first part of Nottingham Road got the attention.

3. Kathy Shigo/Vacancy in Police Department

Kathy Shigo spoke to the number of square miles of roadway a Deerfield Police Officer covers, from one end of Deerfield to the other, and pointed out this has not changed over the years. When the Chief took the job, he knew that this is how it was as did other Chief's prior to him when there were fewer residents. Chairman Barry stated that was 20 or 30 years ago.

All Kathy Shigo asked was that the Board considers the crime statistics, and whether or not the crime rate has increased, and then compare Deerfield to other communities, prior to filling the vacancy. Chairman Barry indicated the Board does review statistics and it is his belief the crime rate is lower because there is a police presence.

Kathy Shigo stated the voters passed the budget because a Default Budget would have meant spending more money. Mrs. Shigo thought everything should be taken into account whether cuts are considered in teaching positions or in the Police Department.

Chairman Barry indicated Mrs. Shigo had made her point. Mrs. Shigo felt she was being cut off because Chairman Barry didn't want to hear what she had to say as her opinion was not the same as Chairman Barry's opinion. Chairman Barry stated Mrs. Shigo's suggestion was heard and the Board agreed to consider her thoughts. Mrs. Shigo didn't understand why the Selectmen were so nice to the Library folks and then when it comes to citizen's comments, the important things to everyday people, it is a different story. It was Chairman Barry's opinion citizen's comments are important.

4. Harriet Cady/2008 Audit

Harriet Cady asked when would the 2008 Audit would be completed. The Board replied mid-July. Mrs. Heon indicated she would provide information on an on-going basis.

5. Harriet Cady/Police Department

When Mrs. Cady moved to Deerfield there were part time Officers on the Police Department for economic reasons. The Police Chief, at the time, Cameron Harbison, got a deal from the Federal Government for first one, then two, then three Officers. The final step was the Town took over payment for all three of the Officers.

Harriet Cady saw a great deal of value in looking at neighboring towns and comparing them to Deerfield. Examples given were Northwood has seven Officers and Candia six Officers. Towns of a similar size should be surveyed. There are larger communities, like Epping, which has twelve Officers but they have a shopping center with a Wal-Mart and such.

Harriet Cady asked the Board to take a survey of towns of a similar size; Epsom, Northwood Nottingham, Chester, Sanbornton. Vice Chairman Robertson said what counts is population, not territory.

Vice Chairman Robertson has talked to Epsom and Northwood and neither have 24/7 coverage. Vice Chairman Robertson recalled working on the budget when the commitment to the 24/7 coverage was brought forward. He never believed the residents would go for it. That year, at Town Meeting, with 400 residents present, there was a concerted message that 24/7 coverage was favored.

Harriet Cady wasn't finding fault with the Police Department and understood everyone can't be everywhere. She saw a need for police the other day when someone passed her on Meetinghouse Hill Road and she just hoped no one was coming the other way. What Mrs. Cady shares with the Selectmen is what she hears from taxpayers. While she believed the taxpayers should come to the Board directly, she hears from them that a comparison is necessary.

Kathy Shigo stated that things were different when there was money galore. Vice Chairman Robertson did not ever recall the Town having money galore. Mrs. Shigo believed people are having to make sacrifices all around Town during these tough times. Mrs. Shigo, while not advocating to get rid of 24/7 coverage, requested the Board simply take a look at everything.

Chief Greeley remarked that when times are tough crime rises. Mrs. Shigo asked if the Board looked at the crime rate in Deerfield. Vice Chairman Robertson stated the Board reviews crime statistics. Chairman Barry said if the crime rate is low, it is because of a police presence.

Joel Hughes found all this discussion a bit unfair because the Board hasn't heard, or taken a vote, to do away with 24/7 coverage. He asked shouldn't the people who have so much to say stand up and be counted. Harriet Cady informed Mr. Hughes she tells the taxpayers to do just that. The Selectmen mentioned the taxpayer does have the opportunity at the Public Hearings and Deliberative Sessions to speak. As far as citizens coming to Board meetings, there are generally two who come on a regular basis.

Adjournment:

8:12pm Selectman John Reagan 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 18, 2009 meeting is adjourned.