

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
June 15, 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, 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:**

1. Kathy Shigo/Former Burt Farm-North Road

Mrs. Shigo asked the Board is there was any follow-up as a result of Erick Berglund's e-mail regarding ATV activity. Chairman Barry answered that the topic would come up later in the meeting.

2. Kathy Shigo/E-Mail Requesting Auto Repairs

Mrs. Shigo recalled a request to have an exhaust fixed because it broke due to road conditions. She wanted to know the outcome of the request. Chairman Barry responded the Town's insurance company investigated and the claim was paid.

**Point of Order:**

Chairman Barry stated the Selectmen will conduct other business while waiting for Fire Chief, Mark Tibbetts to arrive.

**Vouchers:**

***Payroll Manifest/\$41,978.14***

**MOTION:** Vice Chairman R. Andrew Robertson made a motion to approve the Payroll Manifest in the amount of \$41,978.14. Seconded by Selectman Alan O'Neal.

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

***Accounts Payable Manifest/\$857,096.69***

**MOTION:** Vice Chairman R. Andrew Robertson made a motion to approve the Accounts Payable Manifest in the amount of \$857,096.69. Seconded by Selectman Alan O'Neal.

**Discussion:** It was noted the payment due to the Deerfield Community School is large because it is the end of their fiscal year, June 30<sup>th</sup>.

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

**Deerfield Volunteer Fire Department:**

Present: Fire Chief, Mark Tibbetts

1. Stimulus Funds/Grant/Fire Station

Chief Tibbetts advised the Selectmen the Fire Department was applying for a grant under the Fire Act. This grant funding is for Fire Stations only. The time to apply for the grant is between June 8<sup>th</sup> and July 10<sup>th</sup>. The opportunity closes at 5pm on July 10<sup>th</sup>.

Chief Tibbetts formed a committee of firefighters to look at all the possible sites. The best suited is the Town owned property on Freeses Pond. In 1999, plans were drawn for a facility to be built at that location. The complex included other Town Departments. Chief Tibbetts has asked the architect to redo the drawings and create a facility for just the Deerfield Volunteer Fire Department.

Chairman Barry asked if the location was in the area of Mr. Mike's Convenience Store. Chief Tibbetts explained the entrance would be located on State Route 43/107, near Freeses Pond Road, opposite the warehouse building.

If the Fire Department follows the 46-page document 100% and builds the rooms the appropriate size, so much for training and so much for exercise, there is a good chance Deerfield could receive the funding. The request is anticipated to cost approximately \$2,500,000.

Contact has been made with the Senators and Representatives in Washington DC seeking their support through letters. Once the grant enters the system in Washington DC, the Officials have agreed to assist.

Selectman Hooker questioned what would happen to the current Fire Station and the property recently acquired. Chief Tibbetts said if the Fire Department was successful in obtaining the grant, it would be up to the Town what happens with the Fire Station as that building is owned by the Town. The land, recently acquired, belongs to the Deerfield Volunteer Fire Association and the Deerfield Rescue Squad.

Chairman Barry suggested Chief Tibbetts return to the two associations and see if they would consider a deal, the land on Freeses Pond for the land next to the Town Hall. Vice Chairman Robertson thought that would fit nicely.

**MOTION:** Selectman John Reagan made a motion the Deerfield Board of Selectmen agree to allow the Deerfield Volunteer Fire Department to build a Fire complex on the Freeses Pond, property owned by the Town of Deerfield, should the Fire Department be successful in obtaining a grant for a new Fire Station. Vice Chairman Robertson seconded the motion.

**Discussion:** Selectman O'Neal asked for the background on the Freeses Pond property. Vice Chairman Robertson said it was owned by the Town and set up for the Safety Service Complex and Town Offices. Borings were done in 1999. The original plan came from Fremont, he recalled, and the Board had figured the cost of ledge into the plans. There is also gravel on the back side of the lot. Chief Tibbetts commented that should this grant be successful he could see the Police Department moving to the same site.

**VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. A letter will be prepared for the Board of Selectmen's signature stating their approval of the project.

**Deerfield Conservation Commission (DCC):**

Present: Serita Frey, Deerfield Conservation Commission (DCC) Chair; David Linden, DCC Member

Also Present: James Franklin, LLC and Licensed Land Surveyor, David Sidmore, Surveyor and Jason Franklin

1. Alvah Chase Town Forest/Map 413 Lot 96

Serita Frey explained that the DCC had contracted with James Franklin, a Surveyor, to establish the boundaries of the Alvah Chase Town Forest. Ms. Frey turned to Mr. Franklin asking him to share his findings with the Board of Selectmen.

Mr. Franklin provided the Board with a narrative, and a map, which contained the results of the research to date. Each of the documents was read and reviewed, in detail. A synopsis of what was presented is outlined below. The documents are on file in the Selectmen's Office.

For Map 413 Lot 96, the Alvah Chase Town Forest, the following information was presented:

1. Overlay sketch of Tax Map vs. Lotting Plan at 1"=1,000  
Compilation of the assessor's maps and a portion of the original ancient lotting plan prepared circa 1750. Other positioning is possible.
2. Key Sketch of Survey Drawings Found at 1"=1,000  
Color coded sketch with location of known surveys.
3. Deed Research Summaries  
Consists of 14 sheets, standard research form for each of the parcels that were researched. There is a graph portion which shows graphical interpretation of the metes and bounds from the description of the deed.
4. Overlay Sketch of Tax Map vs. Lotting Plan at 1"=300  
An enlarged copy of the Overlay sketch (1) with deed summaries (3) and color coded. Two, three and part of four outline the deed research.

There are questions that would require more research:

1. Look at Tax Map 9 to see what the shape of parcel 100 looks like at the time of the Tax Collector's Deed.
2. Read the tax records, circa 1933, for a description of McKie's land taken by the Tax Collector.
3. Visit the Rockingham County Registry of Deeds to view deeds that are not viewable on the Internet.
4. Read the probate record for Alvah B. Chase and others.
5. Find out what happened to the land deeded by McKie to Forbes (Neary).
6. Find out how E. Banfield Hersey obtained title to the land of John Silver. Was he acting in his capacity as Tax Collector or as an individual.
7. Continue the research to resolve all discrepancies known or to be learned.

Jim Franklin pointed out there is some information in the Town Offices from the 1970's that should be reviewed. Metes and bounds are missing in the research and a later conveyance, by the abutters, did not contain any monuments making it unclear how the abutters established acreage. One parcel was conveyed by a physical evidence survey. Mr. Franklin explained a boundary line and physical evidence survey are two different methods. In some cases, surveys were recorded and in other cases, the surveys were not recorded. It is not clear, how the Tax Collector acquired a deed, in his name, whether it was by Tax Collector's Deed or another way. Mr. Franklin listed David Sidmore, David Noyes and True Chesley as surveyors who had worked on abutting parcels.

The Jacob Savides property was once owned in its entirety, and was subdivided, but there are no monuments, bearings or distance. Because of this, it is not clear if ownership reaches the pond. The property was split in half.

In 1933, the tax bills were under Alvah B. Chase as a trustee but Mr. Franklin could not locate a conveyance in the proper shape. Whether the property extends to the pond is a question because it can't if there is no call for the pond in the research.

Selectman Hooker asked what surveyors, and other licensed people do, when there is a difference of opinion or description of property. Jim Franklin said State law is clear when a line cannot be determined present, or past, a boundary line agreement is done. A survey can be done, a monument set, follow the standard format and reach an agreement or go to court. A change can be made, if parties are in agreement, and a lot line adjustment granted through the Planning Board.

David Linden, of the Deerfield Conservation Commission (DCC) stated the Town's property, in his opinion, runs up to the range line. The deed is specific but everything that happened before that was cloudy. Jim Franklin did not know what it looked like before the conveyance. There could be a discrepancy in a deed, or boundary line, that is in a different position. What is clear, is that more research needs to be done.

Chairman Barry asked for clarification for the deed to the Alvah Chase property. Mr. Franklin explained that he and David Sidmore have been over it many times and find holes in the research. To Selectman Reagan that meant the findings were inconclusive.

Serita Frey stated the Deerfield Conservation Commission (DCC) has not seen the report yet and will want to review and discuss it at their next meeting. Vice Chairman Robertson understood but as a Selectman, he realized the Town has a deed to the property and any activity on that property, by a private landowner, requires an understanding of what can and cannot be done.

David Linden, DCC member, spoke of the Town taking the property by a Tax Collector's Deed. To Mr. Linden's knowledge, there can be no adverse possession against a government entity. He suggested the Town send a registered letter to the abutters indicating timber should not be cut on the portion of land in question until the matter is resolved.

The Selectmen agreed to send a letter, certified mail, to the landowner requesting no cutting occur until the question of ownership, of the affected portion of the land, is resolved.

It was pointed out that a recent change was made in the tax maps. The Board acknowledged the change and explained it was done by the Town.

**Philbrick James Library:**

Present: Maureen Mann, Chris Carr and Greg Doane, Philbrick James Library Trustees

1. Lift/Septic Project

Chairman Barry said the waiver from Mason Brothers, and a letter to Paul Smith, were before the Board for approval and signature. Rick Pelletier has reviewed and is in agreement with the information.

Chairman Barry read the Scope of Work included in the letter to Paul Smith; (1) Pump present tank. (2) Prepare location for new tank. (3) Install new tank-\$1,500 (chamber for pump included) and backfill. (4) Remove current tank and fill hole. (5) Dig up sewer line to the building. (6) Install new pipe from building to the new tank and backfill trench. (7) Compact the area where the old tank was. (8) Gravel and compact the area for the lift. (9) Coordinate with the lift contractor all aspects of the site preparation. The total cost of work to be done by Paul Smith is \$3,350.

Chairman Barry asked Paul Smith, present at this time, if he understood and agreed with the Scope of Work. Mr. Smith replied yes.

Chairman Barry read the waiver presented to the Selectmen, by Mason Brothers, which waived liability due to the ground settling in the area of the excavation where the lift would be installed.

**MOTION:** Selectman Walter Hooker made a motion the Board sign the letter to Paul Smith, and the waiver for Mason Brothers, concerning the septic and ground work for the lift project at the Philbrick James Library. Seconded by Vice Chairman R. Andrew Robertson.

**VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The letter to Paul Smith outlining the Scope of Work was signed. The waiver for Mason Brothers was signed.

**Deerfield Police Department:**

Present: Chief of Police, Michael Greeley

Chief Greeley requested an appointment with the Selectmen to respond to an e-mail from Harriet Cady concerning the Police Department.

Chairman Barry summarized the e-mail. Mrs. Cady's concern was that after leaving a Selectmen's Meeting, where she spoke out about the number of Officers the Deerfield Police force has versus neighboring towns, she was stopped and given a warning regarding a stop sign violation, at the intersection of Old Centre Road, Meetinghouse Hill Road, Mt. Delight Road and Church Street. Because Mrs. Cady's observation was that she was being targeted, she wanted it on record that if she was being targeted for speaking out at a Selectmen's Meeting, it would be known that her free speech rights were being threatened. Chairman Barry turned to Chief Greeley for his response.

Chief Greeley began by pointing out that Mrs. Cady could not have left a Selectmen's Meeting on June 8<sup>th</sup> because there wasn't one which meant June 1<sup>st</sup> was the date of the incident. The Police Department sits in that area often and issues warnings and tickets. Chief Greeley firmly believed there would have been no way, the Officer on duty, Corporal Hardy, would have known who the operator was of the vehicle from where he was sitting. Chief Greeley produced copies of summons and warnings prior to and after the alleged targeting incident. To Chief Greeley, there was no targeting. Chief Greeley stated that it did not matter whether or not anyone agrees with his statement but he will not have the Police Department intimidated. If someone is violating the law, no matter who they are, they will suffer the consequences.

Vice Chairman Robertson observed Officer Hardy sitting in that location and added his wife was also stopped for rolling through the stop sign.

Chief Greeley described where the Officer's usually park when monitoring the stop sign, in the vicinity of the Kimball residence. He then turned to Mrs. Cady's observation of brush obstructing the view. When Mrs. Cady could not get a clear view of the intersection, she mentioned having the vehicle roll forward so she could see. Chief Greeley explained that when stopping at a stop sign one should be at the closet point prior to the stop sign, stopped safely.

Chairman Barry pointed out that Alex Cote, Highway Agent inspected the area to see if any trees were interfering with the Stop Sign. It was determined no trees or brush interfered with the intersection.

With regards to the charge of targeting, Chairman Barry assured Mrs. Cady she was not being targeted. Harriet Cady responded that she would have expected that comment from Chairman Barry and/or the Board. Mrs. Cady stated for the record the Officer was coming from Meetinghouse Hill Road and not Mount Delight Road.

2. New Police Cruiser

Selectman O'Neal asked if Chief Greeley was happy with the new cruiser. Chief Greeley replied yes.

3. Advertisement/Police Officer

Chief Greeley advised the Board that he included the advertisement for the full time Officer in Selectmen's Correspondence for this evening.

**Review of Outstanding Minutes/June 1, 2009:**

**MOTION:** Selectman Walter Hooker made a motion that the Minutes of June 1, 2009 be approved as written. Seconded by Vice Chairman R. Andrew Robertson.

**Discussion:** Selectman O'Neal requested a correction to Page 1, Under "Disability Insurance Determination", paragraph four, third sentence. In the third sentence, after "Selectman

O'Neal", the remainder of the sentence should read that he favored the Town paying the fees or interest but not the tax.

**VOTE:** Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Minutes of June 1, 2009 stand approved as written, with the above noted correction.

**Signatures:**

1. Discretionary Easement

A. Map 411 Lot 15/Maureen Platt

The Discretionary Easement for Map 411 Lot 15 was not re-applied for in 1994. The Deerfield Conservation Commission (DCC) was asked for their recommendation. Maureen Platt, owner of the property, will be asked to provide information that will demonstrate that the property provides a public benefit. The DCC would need this information to make a recommendation. Prior to taking any action, the Selectmen agreed to wait for the DCC's recommendation.

2. Computer Abatements

A. Map 208 Lot 79/Wayne Pollock

*Reason:* The lot was merged in the Avitar program and carried over to Munismart. The tax program does not automatically delete lots that are not part of export/import process and credited a first half bill. All lots were taxed as one on Map 208 Lot 79.

**MOTION:** Selectman Alan O'Neal made a motion to grant the Computer Abatement for Map 208 Lot 79/Wayne Pollock. 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 80/Wayne Pollock

*Reason:* The lot was merged in the Avitar program and carried over to Munismart. The tax program does not automatically delete lots that are not part of export/import process and credited a first half bill. All lots were taxed as one on Map 208 Lot 79.

**MOTION:** Selectman Alan O'Neal made a motion to grant the Computer Abatement for Map 208 Lot 80/Wayne Pollock. Seconded by Vice Chairman R. Andrew Robertson.

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

3. Timber Tax Levies (Tornado Damage)/Requests for Abatements (Total=\$4,919.97)

A. Map 205 Lot 011/Juanita Richard

B. Map 204 Lot 008/Richard Leonard

C. Map 201 Lot 004/Todd & Laurie Russell

D. Map 205 Lot 012/David Reid

E. Map 204 Lot 004/Timothy Stoodley & Margaret Stoodley

F. Map 205 Lot 010/John Elsnau

G. Map 204 Lot 005/Daniel & Ellen O'Donnell

H. Map 411 Lot 046/Dawn Holloway

I. Map 405 Lot 044/Benjamin & Billie Blodgett

**MOTION:** Vice Chairman R. Andrew Robertson made a motion the Selectmen take the recommendation of the Assessor and grant the abatement requests for the timber tax levies with tornado damage. Seconded by Selectman Alan O'Neal.

**Discussion:** The Selectmen questioned whether or not it was known if the timber that was cut was more than just the area affected by the tornado. It was noted that one bill, in particular, was substantial. Several Selectmen thought a request to see the scale slips was in order. Selectman Reagan noted that the wood damaged by the tornado had no value. The consensus was to request the scale slips, review the timber cut, and value of the wood, prior to approving the abatement requests.

**MOTION WITHDRAWN:**

Vice Chairman Robertson withdrew the motion. Selectman O'Neal withdrew the second.

4. Letter/Mark Tibbetts/Recognition
5. Notice of Abatement & Refund
  - A. Map 405 Lot 032 Alan & Susan Lubold  
*Reason:* This abatement was previously approved but one name was incorrect.  
The correction has been made.
6. Timber Tax Levies
  - A. Map 416 Lot 050/Richard & Catherine Tucker
  - B. Map 405 Lot 083/Mary Anne Boyle
  - C. Map 410 Lot 072/Soe Soe Thwin
  - D. Map 414 Lot 090/Kyle & Shannon Rothemich
  - E. Map 410 Lot 043/Soe Soe Thwin
  - F. Map 410 Lot 042/Soe Soe Thwin
  - G. Map 419 Lot 046/Tukcor Real Estate Development
7. Intents to Cut
  - A. Map 415 Lots 050 and 51/Map 409 Lot 60/Melinda Geddes
  - B. Map 422 Lot 001/Shirley H. Hutchins

**Review of Correspondence:**

1. Simplex/Grinnell

The annual fire alarm inspection raised the question of installing fire pulls in the Town Hall. Selectman O'Neal spoke to Mark Tibbetts who explained it is a code violation not to have them. Selectman O'Neal will look into the costs of the alarms which will provide a number for next year's budget. Mark Tibbetts is working on a waiver, for the Town Hall building, with the Fire Marshall.

2. State of New Hampshire Department of Administrative Services

This document explained how municipalities can participate in purchasing salt at State prices.

3. Memo/Richard Pelletier, Code Enforcement Officer/Motor Cross Track/North Road

To date, the Building Inspector has not had any complaints about the motor cross track. Mr. Pelletier advised the Selectmen that according to the Town's regulations this was not a violation. Town Counsel has indicated a new ordinance could be crafted but it would not be retroactive. The Building Inspector was hopeful the activity would slow down as it did in the area of Nottingham Road.

Selectman O'Neal thought some of the area being used was in Current Use. The Board requested research regarding whether or not the land was in Current Use and asked that a map be provided as to where the Current Use begins and ends.

4. E-Mail/Richard Boisvert/Re: HydroQuebec

Mr. Boisvert forwarded information to the Selectmen that HydroQuebec is proposing to build a high voltage power line through New Hampshire that would transmit at least 1200 megawatts of Canadian Power through New Hampshire to southern New England. The proposed line could be built along a route through Lost Nation, Whitefield and Woodstock and continue south to Webster and Deerfield.

5. E-Mail/Daniel Livingston/Allison Connor/Re: Peter Moore Road – Logging Operation

The e-mail complained about logging activity on Peter Moore Road which is off South Road. A copy was forwarded to the Highway Agent who went to the area and learned that the logger had forgotten to file an

Intent to Cut. Selectman Hooker thought a professional company should have known better. Vice Chairman Robertson added the logger was well aware the paperwork should have been filed but believed this particular logger would leave the road in much better condition when the timber cut was complete.

**Signature/Intent to Cut:**

1. Map 420 Lot 017

The Selectmen agreed to sign the Intent to Cut for Map 420 Lot 17 on the condition that a letter be sent to the logger pointing out paperwork is to be filed prior to beginning the cut. Selectman Hooker asked Mrs. Heon to find out if there are any penalties if an Intent to Cut is not filed timely.

**Town Administrator's Report:**

1. Transfer Station/Volunteer

Bill Carbonneau, a Deerfield resident, has come forward to volunteer his services as the Transfer Station Director. Vice Chairman Robertson did not necessarily want to proceed with this request. Chairman Barry didn't believe Mr. Carbonneau would be a good fit at the Transfer Station. The Board requested a letter be drafted thanking Mr. Carbonneau for volunteering but the Selectmen are politely declined the offer.

**Other Business:**

1. Noise Ordinance

Selectman Reagan suggested Town Counsel advise the Board of Selectmen, if paragraph two of the current ordinance was changed so that if an offence occurred within the boundaries of the Town of Deerfield, could the Town use the Noise Ordinance for offenses like the noise of a motor cross track.

**Signatures/Abatement Requests/Property Tax:**

1. Map 201 Lot 014/Kathy Bennett
2. Map 201 Lot 007/Harley F. Stevens
3. Map 401 Lot 001/Laurie Plumley
4. Map 401 Lot 010/Kathryn Cramer & Chester Buck
5. Map 201 Lot 055/Vincent Kerns
6. Map 401 Lot 012/Ronald & Linda Royer
7. Map 401 Lot 008/Leona & Thomas Carr

Abatements requested as described by Avitar Associates were before the Board of Selectmen. It was noted that all the general comments from the Assessor were very similar. The assessment is based on the value as of April 1st. The losses were suffered in July but the assessment is as of April 1st. The example was used that if a barn burned down the taxes are not normally abated for situations like that. The Board leaned towards denying the requests for abatements of the 2008 taxes. Assessments have been corrected for 2009. The Board also hadn't seen the reports as to whether or not the individuals were reimbursed by their insurance company. The Selectmen believed they had done what they were required to do which is adjust the values because of the tornado damage. Selectman Hooker reminded everyone the Town's assessment is based on values as of April 1st of this year.

**MOTION:** Selectman Alan O'Neal made a motion to deny the 2008 tax abatement requests, for the properties with tornado damage, as previously stated. Seconded by Selectman Walter Hooker.

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

**Other Business:**

1. Transfer Station/Concrete Pad

Selectman Reagan asked that the Building Inspector look into getting the concrete pad poured and coordinate efforts with Alex Cote, Highway Agent, for any gravel that is needed.

2. Transfer Station/Public Works Director

Vice Chairman Robertson suggested that should there be no successful candidate for Transfer Station Director, the Board consider the idea of a Public Works Director as a viable option. Highway Agent, Alex Cote has mentioned this in the past. Chairman Barry could see that something needed to be done. Selectman Reagan mentioned taking into consideration the funding of the Highway Agent's position and a position such as Public Works Director. It was Chairman Barry's understanding a Town the size of Deerfield could have a Public Works Director responsible for departments the Selectmen designate.

3. Abatements/Tornado Damage

Selectman Hooker reviewed the abatements and found a number of properties on the report have deforestation damage. He spoke specifically of an area, of Deerfield, along Northwood Lake. He looked at a photo taken in 2007, on Google, and the entire area was covered by trees and now there are two trees left. Selectman Hooker suggested having Gary Roberge, from Avitar Associates, look and perhaps make an adjustment to the neighborhood code. Selectman Hooker commented that when a buyer looks at waterfront property trees are of negligible value, or no value, as the owner often prefers to see the water. The Board asked Selectman Hooker to put his thoughts in writing and they will be forwarded to Mr. Roberge.

4. Expenditure Report/Mid-Year Review

It was pointed out that there were line items already in excess of the budgeted amount for the year. One such line was legal notices because there have been a lot of bid processes and the advertisements can be costly. Other lines with concerns are in Government Buildings, heating and electrical lines, which are above 50% spent. Selectman Hooker would like the Department Heads to report to the Board on why an over-expenditure occurred, how they will fund the expense and what impact it will have on the budget for the remainder of the year. The requested report is due in two weeks.

5. Processed Gravel/Town Pit-Crushed Gravel

Selectman O'Neal questioned the processed gravel line and recalled the Selectmen awarded the bid to an individual who was going to go to the Town Pit and crush the gravel in the Town's Pit for \$17,500. Selectman O'Neal pointed out there was not enough money in the gravel line to cover the cost of crushing the material as outlined in the bid award. Selectman O'Neal requested the Highway Agent, Alex Cote, come before the Board and explain how this project will be funded. An appointment will be scheduled for the Highway Agent.

6. Kidz Kumfort Zone/Overdue Rent

The amount of rent due from Kidz Kumfort Zone, at the present time, is substantial, approximately \$7,000. Selectman O'Neal thought it was time a letter was sent. Mrs. Heon was asked if the tenant might be leaving the building. Mrs. Heon said an answer to that question might be known tomorrow but there was nothing definite at this time. The Selectmen directed a letter be sent requesting Kidz Kumfort Zone establish a payment plan for the repayment of rent.

**Citizen's Comments:**

1. Maureen Mann/Fire Department Grant

Mrs. Mann asked for the specific location of the proposed Fire Station. The location was described as on land owned by the Town, originally considered for a Safety Services Building site in 1999, near the sharp bend on State Routes 43/107, in the area of the Penguin Convenience Store. Fire Chief, Mark Tibbetts said the entrance would be near the area of the Freeses Pond Road sign.

2. Harriet Cady/Fire Department Grant

Mrs. Cady asked if there were any special requirements for the grant funds and if the funds were considered stimulus money. The response was the Board would know more once all the documentation is reviewed.

Maureen Mann pointed out the Legislature has put in place the ability for a municipality to hold a Special Town Meeting if they are receiving stimulus funding.

3. Kathy Shigo/Proposed Fire Station

Mrs. Shigo recalled a new Fire Station was planned for across the street from the G. B. White Building. Chief Tibbetts said while that is true, it is no longer considered a good place to put the building. Chairman Barry added that location was considered in conjunction with redoing of the intersection and lowering of the State Road at that intersection. The location now considered, Freeses Pond, is a more centrally located area. Vice Chairman Robertson thought the new location posed less of a safety hazard and less road work.

Mrs. Shigo did not want to see the property (Freeses Pond) ending up looking like the property across the street where all the trees have been removed. The area has a natural beauty and Mrs. Shigo did not want that destroyed.

The traffic and approach to the location, near Freeses Pond, did not seem to be an issue. Chairman Barry noted the area across the street, from the G. B. White Building, is currently used to park vehicles participating in activities at Bicentennial Field.

4. Kathy Shigo/Noise Ordinance

Mrs. Shigo suggested the Selectmen review the Noise Ordinance given the complaints about ATV's. Mrs. Shigo was advised of the discussion earlier in the Meeting. The Selectmen are looking at the language of the current Noise Ordinance and will have their thoughts reviewed by Town Counsel.

Mrs. Shigo spoke of trouble on Cate Road, Coffeetown Road and in the general area where the dirt bikes are zooming around. Chief Greeley, present at this time, pointed out that dirt bikes and ATV's are not supposed to be on the road. Mrs. Shigo mentioned this occurs on Sunday and the roadways are used like a track. Chief Greeley will look into this matter.

6. Kathy Shigo/Logging Operation/Fines

Mrs. Shigo commented on the Board looking into fining a logger for not completing the proper paperwork. She cautioned them against not fining the individual because it would look like it is who you know, if one person can get away with something and another cannot. The professionals should know better.

7. Kathy Shigo/Volunteer/Transfer Station

Mrs. Shigo mentioned the Selectmen turning away the offer of Bill Carbonneau to volunteer his time as Transfer Station Director. She stated the Board needs to give volunteers a chance and not just say they don't think it will work out. Mrs. Shigo added that Mr. Carbonneau is a hard worker and could do the job. She did not like that the Board was so narrow-minded and would rather see the Board go through the process and encouraged the Selectmen to interview the candidate.

8. Harriet Cady/Parks and Recreation/Telephone Bill

Mrs. Cady asked for the status of a copy of a telephone bill that was requested some time ago by Marcel Riel. Chairman Barry made a copy for Mr. Riel expecting him to show up at a Selectmen's Meeting. Mrs. Cady pointed out she knew the answer to Mr. Riel's question and it was not as stated in The Forum that Mrs. Cady was wrong. Chairman Barry will provide Mr. Riel with a copy of the information requested.

9. Richard Young/Noise Level/Motorcycles and Dirt Bikes

Mr. Young has experienced motorcycles with loud pipes and dirt bikes on the roadways. Chief Greeley reiterated that dirt bikes and ATV's are not allowed on the roadways. Mr. Young clarified that some were registered. Chief Greeley stated the Town did not have the equipment to check the decibel level. Chairman Barry questioned if there was a law concerning an appropriate decibel level. Chief Greeley responded that without the appropriate equipment nothing could be done.

Chairman Barry said he could understand the concerns Mr. Young had but the Town would not be able to just jump in without everything in place. Vice Chairman Robertson suggested looking into the cost of a decibel meter.

Joel Hughes knew of the problems and pointed out that some motorcycle manufacturers have worked towards lowering the noise output. There was a thought that the City of Manchester set some limit but it wasn't clear how or what was achieved.

Richard Young hoped there was going to be a resolution to the problem but thought it was a pretty good bet that will not happen. Chairman Barry reminded Mr. Young the Selectmen are looking at changing the existing Noise Ordinance.

Kathy Shigo stated any new Noise Ordinance would not be retroactive. The Selectmen agreed but pointed out they were looking at changes and would seek Town Counsel's advice.

10. Laura Hughes/Dirt Bikes

Mrs. Hughes spoke as a parent whose children ride dirt bikes on their fourteen acres of land. She did not want to see the Town of Deerfield outlaw dirt bikes.

Chief Greeley said he learned that dirt bikes cannot be changed from how they are delivered. Original equipment must be in place and unfortunately, sometimes the original equipment is loud.

Kathy Shigo thought the State and the Town should be on the same page regarding decibel levels because the problem needs to be resolved.

**Adjournment:**

**8:12pm**

On the motion of Selectman John Reagan to Adjourn, seconded by Selectman Walter Hooker, Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Meeting of June 15, 2009 stands adjourned.