

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
June 29, 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; Walter C. Hooker and Alan E. O'Neal, Selectmen
Absent: R. Andrew Robertson, Vice Chairman; John Reagan, Selectman
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.

Announcement:

Chairman Barry announced that Vice Chairman R. Andrew Robertson and Selectman John Reagan would not be present this evening.

Citizen's Comments:

Chairman Barry asked Maureen Mann, as State Representative, if there was anything to report on the legislative front that would affect the Town as a result of the downshifting.

1. State Representative Maureen Mann/Downshifting to Towns

On the school side, Representative Mann did not see an impact to revenues. Most of the stimulus funding went to schools and highways. The impact is on the Town side. While the Town Budget may stay the same, the school budget should go down. Funds aren't coming and won't be made up. She didn't know exactly what the Town was planning to receive but whatever it is, most likely the funds won't be there. The legislature did provide for the ability to call a Special Town Meeting.

Harriet Cady interjected there would also be an impact on the County Budget which would affect taxes.

Maureen Mann advised the Board the social services network was not cut which would have impacted towns. The current level of services were maintained.

At the State level, an individual retiring at age 65, will now have to pay for health insurance instead of having that benefit funded at 100%. The percentage of payment going into the retirement system increased which further impacts the towns.

2. Kathy Shigo/Volunteer/Transfer Station

Mrs. Shigo wanted to know if the Board had decided to interview the volunteer, Bill Carbonneau, for the Transfer Station Director's position. Chairman Barry indicated the topic would come up later. Mrs. Shigo stated volunteers are rare and bringing the volunteer in for an interview would encourage other volunteers. Mrs. Shigo pressed for a response to the question of whether or not Mr. Carbonneau would be interviewed. Chairman Barry explained the Board has not met since the last meeting which meant they had not discussed the subject.

Highway Department:

Present: Alex Cote, Highway Agent

1. Budget Expenditures/Gravel/FEMA/Road Work

Alex Cote, Highway Agent, realized the Board wanted an explanation of the Gravel Line and why the expenses were so high. Mr. Cote recently discovered that some of the gravel expenses should have been paid out of the FEMA Grant Line not the Gravel Line. This expense belonged to the 2007 flood. Because Mt. Delight Road is finished, excess funds from this project could offset gravel expenses.

Selectman O'Neal asked if Mr. Cote had looked at the FEMA information to confirm that the gravel was for the 2007 flood. Mr. Cote replied that he had and the gravel was listed on a Project Worksheet (PW). Mr. Cote gave the PW number to Jan Foisy who will make the transfer once it is verified the funding is there to cover the expense. Mr. Cote said the bottom line of the budget will remain in the black.

Selectman O'Neal looked at the overall budget and knew of some overruns were in areas like legal expenses. He would want to know where the potential is to scoop up additional funding within the entire budget. One overage occurred when plows needed to be purchased. Selectman O'Neal foresaw some savings in the paving line which would assist in holding the budget through December.

Expenses that came to Mr. Cote's mind were the repairs to the road grader when it broke and a future expense of approximately \$2,000 for paving driveway tie-ins. Due to the estimated savings (\$56,000) in paving, Mr. Cote wanted to do a section of Mountain Road (\$22,000) to get ahead for next year.

Chairman Barry stated the Board will be reviewing the entire budget because 54% of the entire 2009 Town Budget is spent and it is a concern. By the next meeting, there should be some hard and fast questions that may be asked about spending and perhaps a decision to hold up on further spending.

Mr. Cote didn't count on doing the Mountain Road project but he just wanted to know if it was possible. Selectman O'Neal thought it could be held up as maybe the price for asphalt next year would be lower and this type of project is normally put on the list for the next year. The section of road was described as near the Christianson home. Mr. Cote was planning for that section, Mount Delight Road and Meetinghouse Hill Road for next year.

2. Calculations/Winter Sand and Salt

Selectman O'Neal requested the calculations for the number of tons of winter sand and salt for next year using the timeframe of October to May as well as the number of tons on hand. Mr. Cote advised Selectmen O'Neal that there wasn't a lot left. Selectman O'Neal asked Mr. Cote to compile the information, for the 2008-2009 season, so that the Board would have an idea of what to expect. Mr. Cote stated usage depends on the weather. Mr. Cote hoped for a surplus but reminded everyone October, November and December were still to be reckoned with.

Mr. Cote advised the Board, in a normal year, 500 tons is a fair guesstimate. At the present time the salt shed is empty and Mr. Cote did not have a price for salt yet but expected it to be similar to last year. Selectman O'Neal again requested the tonnage of salt and sand be calculated so that he could use the numbers to look at the impact on the budget.

3. Highway Department Projects

Selectman Hooker asked Mr. Cote what projects have been completed in 2008 and what was planned for the remainder of the year.

Mr. Cote reported paving had taken place on Ridge road, Mt. Delight Road and Swamp Road. Shoulder work and cutting brush was being done on Range Road. While Carl Oehler is on vacation the Highway Department would not have access to the chipper which meant the brush cutting is on hold. While waiting for Mr. Oehler's return, a couple of culverts were replaced. There are three more culverts to be done. The gravel roads have been graded twice and some three times. Baker Avenue was cleaned up after the recent storm (micro-burst) that went through that area of Deerfield.

Selectman Hooker asked what the Highway Department projects were for the remainder of the summer. Mr. Cote answered, cut brush, shoulder repair and gravel road maintenance. According to Mr. Cote, it has been two or three years where the brush has not been cut due to flooding. Selectman Hooker asked if Mr. Cote had a plan to which Mr. Cote replied yes, cut brush.

Looking further into cutting brush on the roadways, Selectman Hooker asked if that meant all the Deerfield roads. Mr. Cote asked Selectman Hooker if he realized how many miles of road Deerfield had because, if both sides of the road are counted, that calculates to 120 miles of cutting brush. Mr. Cote didn't think that project would be completed this year.

Selectman Hooker questioned what road would be next once the brush was cut on Range Road. Mr. Cote estimated another week would be necessary on Range Road and then they would move over to South Road. From there, they would see where they would go next.

Selectman Hooker wanted to know how long the Highway Department can cut roadside brush. Mr. Cote replied that as long as there is no snow the Highway Department employees will cut brush. Selectman Hooker was interested in what work was ahead for the Highway Department. Mr. Cote stated there is plenty of work ditching the sides of the roads. He believed that any road in Town could use some attention.

Selectman O' Neal followed up asking that besides brush, ditching and culvert replacement were there any major repair projects. Mr. Cote stated the culverts were the most immediate repairs but the Highway Department was waiting for the water to go down. Ditching and brush cutting is part of routine maintenance. Mr. Cote said the brush cutting has been affected by PSNH because they are cutting the top part of the brush off and leaving the lower brush.

Selectman Hooker requested further explanation of why the PSNH trimming was causing more work for the Highway Department in terms of cutting brush. Mr. Cote explained that when the tops are taken off trees or brush the remaining part grows out because it cannot grow up any more.

Selectman O'Neal recalled the practice of PSNH is to ask permission of the landowner as to what can be cut, at least that was his experience on his own property. If a landowner did not want the whole tree taken then the whole tree is not taken. Permission is often given to just take whatever hits the wires. What Selectman O'Neal understood Mr. Cote to say was more work is created by PSNH trimming the lines.

Chairman Barry wondered if the Town gave a blanket permission to cut would that help. Mr. Cote said no, because the trees are on private property.

4. General Budget Discussion

Selectman O'Neal thought for the most part Mr. Cote had answered most of his questions but asked that Mr. Cote take another look at the Sand and Salt Lines and provide the estimated tonnage.

5. Baker Avenue/Tree Removal

Because of the recent storm, the Tree Line will be impacted. Chairman Barry stated when Mr. Cote called him regarding the clean up needed on Baker Avenue. Chairman Barry told Mr. Cote to do what was necessary. Selectman O'Neal estimated the cost of tree removal at \$3,000. Mr. Cote agreed.

Review of Outstanding Minutes/June 15, 2009:

Chairman Barry tabled the review of the June 15, 2009 Minutes until the next meeting when a full Board would be present.

Northwood Crank Pullers Snowmobile Club:

Present: Donald McMurchy
Also Present: Three Other Members of the Club

Donald McMurchy explained the Northwood Snowmobile Club has a trail on the land of Public Service Company of New Hampshire (PSNH). The PSNH land is located between Coffeetown and Mountain

Roads, in Deerfield. The PSNH letter was written in response to the request of the Northwood Crank Pullers asking for permission, from PSNH, to groom and use the snowmobile trails on land of PSNH.

Chairman Barry asked Mr. McMurchy to explain specifically what the snowmobile club was looking for from the Town of Deerfield. Mr. McMurchy said the Northwood Crankpullers Snowmobile Club has 48 miles of trail to maintain. The trail extends into Pawtuckaway State Park. The Club is required to obtain written permission from all property owners. In the past, PSNH has received complaints, from Deerfield residents, about ATV's and pickups on the PSNH property. The complaints occurred about thirteen years ago and the records are no longer available.

Mr. McMurchy explained the snowmobile club proposes to place rocks, acting as gates, on the PSNH land in Deerfield. Mr. McMurchy said that the only thing on the trails should be snowmobiles and the machine to groom the trails. The gates/boulders would be in place during the summer months. Snowmobile trails are not open unless there is eight inches of snow on the ground.

MOTION: Selectman Walter Hooker made a motion the Selectmen write a letter to PSNH telling them that the Northwood Crank Pullers can use the PSNH land for snowmobile use only. Seconded by Selectman Alan O'Neal.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. A letter will be prepared and then signed, in two weeks, by the Board of Selectmen. A copy can be obtained from the Town Administrator on Tuesday.

Vouchers:

Payroll Manifest/\$44,713.90

MOTION: Selectman Alan O'Neal made a motion the Payroll Manifest in the amount of \$44,713,90 be approved. Seconded by Selectman Walter Hooker.

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

Accounts Payable Manifests (4)/\$930,665.10

MOTION: Selectman Walter Hooker made a motion to approve the Accounts Payable Manifest in the amount of \$930,665.10. Seconded by Selectman Alan O'Neal.

Discussion: Selectman Hooker questioned if this was the last payment (\$533,000) for the school. Chairman Barry said the school's budget year begins July 1st.

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

Point of Information:

The Board pointed out there was no check register for the voided check and requested one for next week.

Signatures:

1. Warrant/Unlicensed Dogs

The Warrant will be issued to the Animal Control Officer, W. Matthew Lopez.

MOTION: Selectman Alan O'Neal made a motion the Board of Selectmen issue the 2009 Dog Warrant. Seconded by Selectman Walter Hooker.

Discussion: It was pointed out that the Animal Control Officer and the Town Clerk/Tax Collector's Office went to great lengths to notify everyone whose dog was not registered.

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

2. Timber Warrants/Abatements

A. Map 411 Lot 046/Dawn Holloway

Reason: Salvage from July 2008 Tornado. Landowner just had timber cut performed but did not receive compensation.

MOTION: Selectman Walter Hooker made a motion to sign the Timber Warrant and grant the abatement request for Map 411 Lot 046, Dawn Holloway.

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

B. Map 405 Lot 044/Benjamin & Billie Blodgett

Reason: Salvage from July 2008 Tornado. Landowner did not receive monies from sale of wood, they received firewood.

MOTION: Selectman Alan O'Neal made a motion to sign the Timber Warrant and grant the abatement request for Map 405 Lot 044, Benjamin & Billie Blodgett. Seconded by Selectman Walter Hooker.

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

Point of Order:

Chairman Barry asked Alex Cote, who presented sand and salt tonnage to Selectman O'Neal, to provide the information at the next meeting, rather than at this time.

3. Letter/Jeff Eames for Mountain Land & Timber/Map 420 Lot 17

The Board signed a letter to Mr. Eames reminding Mr. Eames of the responsibilities surrounding filing an Intent to Cut. A copy of the Statute was included.

4. Letter/Bill Carbonneau

Chairman Barry said the Board of Selectmen previously requested a letter be written to Bill Carbonneau respectfully declining his offer to serve as Transfer Station Director. Chairman Barry pointed out the letter was a result of discussion the Board had at the last meeting. Chairman Barry asked if anyone wanted to change the letter and/or the decision. No changes were requested from the Board members present. The letter was signed.

5. Letter/Fire Chief-Mark Tibbetts/Map 209 Lot 34

The letter before the Board confirmed the Board's prior decision by motion and vote granting permission for the Deerfield Volunteer Fire Department to locate a Fire Station on Town property located at Map 209 Lot 034. This letter will be included with the grant request.

Review of Correspondence:

1. Letter/Kidz Komfort Zone

Bonni Schushereba responded to the Board's request for a payment plan stating that she could not afford any more than \$200 a month and would be vacating the premises on or before August 1, 2009. There is an approximate amount of \$6,600 due and soon July will be added. Selectman Hooker pointed out accepting this arrangement would run the payments out over a long period of time. This was not acceptable to the Board of Selectmen and the Board suggested that a letter be written explaining to Mrs. Schushereba the arrangement is not acceptable and that the amount due must be paid before she vacates the building. It was determined the Selectmen would contact Town Counsel and apprise him of the situation.

2. E-Mail/Planning Board/Request for Open Space Committee

The Master Plan update has almost reached the end of the public comment period. The Open Space Plan, as part of the Master Plan, was done in sections and completed three years ago. The request to the Selectmen is to revitalize the Open Space Committee and review the Open Space Plan. The Open Space Committee will consist of seven to ten members. It was suggested the Board check with prior members to learn if they will be interested in working on the committee again. It is anticipated meetings would begin in late August or early September with approximately five meetings required. The Master Plan, and Open Space Plan, is available on the Town Website.

3. 12 North Road/Current Use

At the request of the Board, Avitar Associates will be asked to review the property at 12 North Road to determine if the Motor Cross Track is within the land designated as being in Current Use.

4. Letter/Town of Raymond Town Manager and School Board Representative

The letter invites Deerfield to participate in a Joint Fiscal Responsibility Advisory Committee. Selectman Hooker was designated as the individual to make contact with the Town of Raymond.

5. Letter of Resignation/Martin J. Guardia

Mr. Guardia resigned as a Water Commissioner, effective August 1, 2009.

MOTION: Selectman Walter Hooker made a motion the Board accept the resignation of Martin Guardia, as a Water Commissioner, with regret. Seconded by Selectman Alan O'Neal.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The vacancy will be advertised on the Town Website.

Town Administrator's Report:

1. Update from the Code Enforcement Officer/Richard Pelletier
Paul Smith completed the work at the Library (septic and lift area). Mr. Pelletier is looking at having the yearly maintenance work done on the generator for a cost of \$100 more than the budgeted amount. He also visited the Transfer Station and reviewed the Scope of Work for the concrete pad to be installed and will provide the Selectmen with the plan and costs.
2. Mark Tibbetts reported the grant, for the Fire Station, is nearing completion and would be filed by the deadline. The railing has been installed at the Library. Mr. Tibbetts is also looking into the sprinkler system pulls or a waiver of the installation of the pulls.
3. The Board is waiting for further information, from the Deerfield Conservation Commission and the surveyor, regarding the survey of the Alvah Chase Forest.
4. A letter was sent to Maureen Platt requesting additional information for the request for a Discretionary Preservation Easement.
5. The language for the Noise Ordinance is under review by Town Counsel.
6. Most all of the scale slips have been delivered to the Office concerning the timber cut as a result of the tornado. Assessing is currently waiting for the scale slips from Jason Curtis.
7. Selectman O'Neal asked for a progress report on Hazardous Waste Day. Mrs. Heon stated some information has been gathered but more needs to be done.
8. There was a question as to whether or not the French Drains, at the Philbrick James Library, were installed. The reply was not at this time.

Other Business:

1. 2009 Budget Expenditures

After reviewing the budget, the Board noticed the Town Budget was 54% spent. Chairman Barry suggested a full Board discussion to review the rate of spending as it is high for this time of year. Action may, or may not, be taken at the next meeting but in the meantime all Department Heads should be aware of the rate of expenditure. Mrs. Heon was instructed to raise the awareness either by e-mail, a copy of the minutes or phone calls, whatever works best.

Citizens Comments:

1. Maureen Mann/Clarification/Kidz Komfort Zone

Mrs. Mann asked for clarification regarding Kidz Komfort Zone and the status of their rent payments. It was explained rental payments are in arrears and Kidz Komfort Zone is asking for \$200 a month as a repayment amount per month. Kidz Komfort Zone is also vacating the premises and the Board is requesting the bill be paid in full before they leave. The matter will also be referred to Town Counsel.

2. Kathy Shigo/Transfer Station Volunteer

Mrs. Shigo asked has anyone else volunteered for the position of Transfer Station Director. Chairman Barry replied no. It is Mrs. Shigo's personal opinion that rather than just dispense with things, the Board should have interviewed the volunteer. To Mrs. Shigo, it looked like the Board is trying to push a Public Works Director to oversee the Transfer Station.

Chairman Barry didn't see it that way but that the volunteer was not a good fit for what was needed at the Transfer Station. Mrs. Shigo asked if Lenny Mandigo made that decision. Chairman Barry replied no, he would not pick his supervisor.

Mrs. Shigo did not understand why certain ones would not even be asked to come in. She saw it as politics and that it shouldn't be done that way. Chairman Barry disagreed with Mrs. Shigo's statement. Mrs. Shigo remarked that the Board should look at everyone that volunteers because not too many come forward.

3. Kathy Shigo/Job Description/Transfer Station Director

Kathy Shigo asked if there was a Job Description available for the position of Transfer Station Director. Chairman Barry didn't recall a Job Description. The position was set up when Jim Alexander retired from the Board because he had the knowledge to run the Transfer Station. Since Gino Edwards resigned, there has not been a manager. Someone from Pittsfield is considered the Certified Operator. Chairman Barry indicated the Board knew something had to happen but they were not sure what.

Harriet Cady suggested a general list of duties be located and used to create a Job Description. The Selectmen suggested Mrs. Heon contact Jim Alexander, obtain a list of duties and create a Job Description.

4. Harriet Cady/State Owned Land/Easements

Harriet Cady reviewed the Master Plan and was shocked at what she saw in terms of how much land is owned by the State of New Hampshire or is under easements. There are some large tracts of land; 1800 acres in Bear Brook State Park and 1700 acres in Pawtuckaway State Park. The land Mrs. Cady saw on the map is considered unbuildable land and the Town continues to look to save land to keep it from being developed but should look at how much is already tied up.

Chairman Barry agreed there was quite a bit of land already under easements and it was noted the idea was if the land was saved it could not be bought and developed.

Mrs. Cady pointed out that through collecting this land the consequences are the taxpayers make up the taxes because the land was taken off the tax rolls. In general, taxpayers pay for everyone that does not pay. Chairman Barry reminded Mrs. Cady the acquisitions were approved by the taxpayers at a Town Meeting.

Harriet Cady wondered how many people have actually looked at the Master Plan. Chairman Barry commented, not many. Mrs. Cady advised the Board she had to argue to borrow a copy but finally got one from Kevin Barry, Town Clerk/Tax Collector. While she realized she could have viewed the document on line, it would have been difficult to see the picture of the map as clearly.

Mrs. Cady returned to the subject of all the land tied up and taxes not being paid and indicated she hoped the Town would not keep buying.

Selectman Hooker pointed out there are easements and then there is the property owned outright by the State which are two different things. Harriet Cady reminded the Board about the cost to the Town for Police coverage for the camping area in Bear Brook State Park.

Mrs. Cady suggested an informational sheet reflecting the lands owned by the State, and Town owned Easements, be available to assist taxpayers. Mrs. Cady also suggested that the map she referred to be enlarged and hung up downstairs in the hallway so that people can see how much of Deerfield is not paying taxes.

The Board will look into reproducing the map.

Adjournment:

7:06pm

Selectman Walter Hooker made a motion to Adjourn. Seconded by Selectman Alan O'Neal. Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The June 29, 2009 Meeting is adjourned.