

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
September 14, 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; Cynthia Kelley, Finance Director

Pledge of Allegiance to the Flag:

Chairman Barry asked all to rise for the Pledge of Allegiance to the Flag.

Citizen's Comments:

There were no citizen's comments.

Opening of Bids/Town Hall Painting:

Chairman Barry read the bid notice for painting the Town Hall, indicated where the notice was posted and listed the newspapers where the notice was published.

Chairman Barry asked if there were any other bids to be presented. There were none. Chairman Barry opened and read the bids as follows:

- | | | |
|----|--|----------------------------------|
| 1. | First Choice Painting/Wakefield, New Hampshire | \$16,425 |
| 2. | Randy Young/Deerfield | \$5,000 Paint/Shutters \$50 each |
| 3. | M & R Maintenance/Litchfield, New Hampshire | \$7,426 |
| 4. | CentraPro/Massachusetts | \$6,487.36 |

It was the consensus of the Board the bids be given to Mark Tibbetts, Building Maintenance Supervisor, for review and ask that he return to the next Selectmen's Meeting with his recommendation.

Vouchers:

Payroll Manifest/\$48,648

MOTION: Vice Chairman R. Andrew Robertson made a motion the Board approve the Payroll Manifest in the amount of \$48,648. Seconded by Selectman John Reagan.

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

Accounts Payable Manifests(5)/\$495,621.83

MOTION: Vice Chairman R. Andrew Robertson made a motion the Board approve the Accounts Payable Manifests totaling \$495,621.83. Seconded by Selectman John Reagan.

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

Signatures:

1. Letter/Peter vanBerkum and Leslie vanBerkum-Re: Current Use

The Selectmen signed a letter to the vanBerkum's outlining a prior Board decision that the vanBerkum's property remain in Current Use.

2. Contract/FP Mail Solutions Rental Agreement/Great America Leasing Corporation/Lease Agreement/Great American Non Appropriation of Funds Addendum

Chairman Barry asked if all the questions Board members had on the contract were answered.

The response was yes.

MOTION: Selectman Alan O'Neal made a motion that the Board take the recommendation concerning the Town's postage meter and sign the FP Mail Solutions Rental Agreement. Seconded by Selectman Walter Hooker.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. Chairman Barry signed the documents on behalf of the Board of Selectmen.

3. Appointments/Open Space Committee

- A. Katherine Hartnett
- B. Erick Berglund
- C. Will Draper
- D. Maria White
- E. Thomas Foulkes

Note: Other Open Space Committee appointments will be brought forward at the next meeting.

MOTION: Vice Chairman R. Andrew Robertson made a motion the Board approve the appointments to the Open Space Committee. Seconded by Selectman Walter Hooker.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The appointment forms were signed.

Vice Chairman Robertson explained that this committee works under the auspicious of the Planning Board. Selectman Walter Hooker added the Open Space Committee will work on updating the Open Space Plan as it will be an addendum to the Master Plan.

4. Veteran's Tax Credits/Year 2010

- A. Map 410 Lot 054/Mark Leavitt and Diana Leavitt

MOTION: Vice Chairman R. Andrew Robertson made a motion the Board grant the Veteran's Tax Credit for Map 410 Lot 054, Mark Leavitt and Diane Leavitt, effective 2010. Seconded by Selectman Alan O'Neal.

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

- B. Map 413 Lot 053/James Jobin and Nicole Jobin

MOTION: Selectman Alan O'Neal made a motion the Board grant the Veteran's Tax Credit for Map 413 Lot 053, James Jobin and Nicole Jobin, effective 2010. Seconded by Selectman Walter Hooker.

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

Point of Inquiry:

Selectman Hooker questioned if both applicants understood the exemption would not be effective until 2010. The answer was yes.

5. Waiver of Interest/Arlene Clark-\$34.03

The Town Clerk/Tax Collector requested approval for a refund check to be issued in the amount of \$34.03 based on the prior action of the Board to grant the waiver of interest.

MOTION: Vice Chairman R. Andrew Robertson made a motion to authorize the refund to Arlene Clark in the amount of \$34.03. Seconded by Selectman John Reagan.

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

6. Abatement/Land Use Change Tax/\$0

- A. Map 411 Lot 45 Sub Lot 001/John H. Gadd

MOTION: Selectman John Reagan made a motion the Board sign the abatement request for Map 411 Lot 045 Sub Lot 001, John H. Gadd. Seconded by Vice Chairman R. Andrew Robertson.

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

7. Intents to Cut

- A. Map 201 Lot 56/Carl Anderson and Valerie Anderson (Tornado Damage)
- B. Map 419 Lot 88/Patrick and Sandra Cassier
- C. Map 424 Lot 96/Alyssa Carpenter and Daun Defrance
- D. Map 424 Lot 95/Dick and Dolores Holland
- E. Map 405 Lot 024/Dwight Stevens

The question was raised by Board members if a copy of the Intents to Cut were filed with the Tax Collector's Office so that Office would be aware of a potential tax liability. Mrs. Heon answered that has been a statutory requirement to file a copy with the Tax Collector's Office and unless the law has changed, it would still be in effect.

Selectman O'Neal commented there are signed Intents to Cut for logging operations on Cotton Road and Griffin Road where no road bonds were requested. Selectman O'Neal was not sure if not bonding would cause an issue if road damage occurred.

Avitar Associates of N. E., Inc./BTLA Case-Southern New Hampshire Services:

Present: Gary Roberge, CEO and Loren Martin, President

Request for Nonpublic Session:

In Mr. Roberge's mind, if the negotiations of a Board of Tax and Land Appeals (BTLA) case were to be discussed, a Nonpublic Session is appropriate. The Selectmen read the law and pointed out that it clearly states that a tax abatement does not constitute threatening or filed litigation. Mr. Roberge stated that this is an appeal and not an abatement. As a municipal assessor, he separates the abatement and appeal process whether an appeal is made to the BTLA or the Superior Court.

Nonpublic Session:

6:22pm

Selectman John Reagan made a motion to take the Assessing Official's recommendation and enter a Nonpublic Session under RSA 91-A:3,II(e) consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph. Vice Chairman R. Andrew Robertson seconded the motion.

Point of Clarification:

Vice Chairman Robertson clarified with Selectman Reagan the Nonpublic Session was under "e" as he may have said the letter "a". Selectman Reagan indicated it was "e"; RSA 91-A:3,II (e).

Roll Call Vote: O'Neal-Yes; Hooker-Yes; Reagan-Yes; Robertson-Yes; Barry-Yes

6:33pm

The Nonpublic Session ended.

Roll Call Vote: O'Neal-Yes; Hooker-Yes; Reagan-Yes; Robertson-Yes; Barry-Yes

Minutes Sealed:

MOTION: Selectman John Reagan made a motion the Board seal the minutes of the Nonpublic Session as divulgence of information contained in those minutes would likely render ineffective the proposed action described therein. Vice Chairman R. Andrew Robertson seconded the motion.

No Action/No Decisions

Selectman John Reagan noted there was no action taken or decisions made within the Nonpublic Session.

Chris Stillbach/Brown Road Subdivision/Road Construction:

Present: Chris Stillbach, Property Owner; Jim Franklin, Surveyor
Also Present: Alex Cote, Highway Agent

Chris Stillbach advised the Selectmen he met with the Planning Board about concerns the Planning Board had surrounding work he offered to do at the end of Brown Road. Because he requested to subdivide his property, he approached the Planning Board. Mr. Stillbach stated he has addressed all of the Planning Board's concerns. Alex Cote, Highway Agent, indicated to Mr. Stillbach and the Planning Board he was too backlogged with work, for the Town, to upgrade the road at this time. Mr. Stillbach offered to do the work but needed permission. As the Board of Selectmen has the authority over the roads, Mr. Stillbach came before them to receive the final okay.

Selectman Hooker, Selectmen's Member on the Planning Board, informed the Selectmen Mr. Stillbach had been before the Planning Board several times and would have to return once more. Selectman Hooker was aware Mr. Stillbach, Mr. Franklin, Alex Cote and Jerry Coogan had met to go over the plans for the road work. Selectman Hooker spoke with Jerry Coogan. He was unable to reach Fred McGarry, Planning Board Chairman, to learn the Planning Board's thoughts on the written plans presented by Mr. Franklin and Mr. Stillbach.

When Selectman Hooker spoke to Mr. Coogan it was mentioned that because Keach-Nordstrom is paid by the Town as the Town's engineering firm, Keach-Nordstrom could inspect the road to insure it was built to Town Standards, New Hampshire Department of Transportation (NHDOT) standards. Once the road was approved and signed off on, the Highway Agent would maintain it as a Town road. Keach-Nordstrom could recommend whether or not the Town accepts the road or not. Vice Chairman Robertson saw this as a road construction project.

Jim Franklin stated he has been helping Mr. Stillbach since the first Planning Board hearing. The discussion was about the existing road with a lot of reluctance about the applicant doing the work but paying for Town Counsel and the engineering firm. In light of the Planning Board recently paying two bills for the same work, Mr. Franklin and Mr. Stillbach do not want to find themselves in the position of being double billed.

According to Mr. Franklin, Mr. Coogan explained the road improvements to Mr. Cote and Mr. Cote indicated what he wanted clarified, which is what brought everyone to the Friday meeting. Now that everyone is on the same page, the matter is before the Selectmen who have the sole authority over what happens next. The Highway Agent is the most appropriate individual to supervise the construction. If the applicant paid Keach-Nordstrom to design and oversee the construction, the costs could range from \$5,000 to \$10,000 which may mean the subdivision would no longer be pursued.

Chairman Barry remarked that some decisions lie within the authority of the Planning Board and the Board of Selectmen exercising their authority could produce a conflict. To Chairman Barry, the Selectmen's authority is with the roads.

Vice Chairman Robertson could see the Highway Agent recommending what happens on the roads but there could be no guarantee concerning final approval of the subdivision. Keach-Nordstrom would sign off, for the Planning Board, on whatever approvals the project requires.

Selectman Hooker reminded everyone that all parties had now met. After the Friday meeting, the specifications were quantified; what is needed for the road in terms of both lots.

Mr. Franklin described the plan as covering 400 feet of roadway and 150 feet for constructing the transition. Mr. Stillbach reiterated the plan called for transition construction and cutting of brush the full length of the roadway reconstruction.

Selectman Hooker asked if Mr. Cote was all set. Mr. Cote indicated he was all set as the drawing was a standard New Hampshire Department of Transportation (NHDOT) specification for road construction. Mr. Cote said the Planning Board may want to discuss the width of the road.

It was pointed out Mr. Stillbach was requesting a subdivision making one lot into two lots, keeping one lot for himself and selling the other. The land was described as being at the end of Brown Road and bordered by conservation land.

Chairman Barry stated that Mr. Cote would supervise the project and have the final say regarding the road reconstruction. There was the question of how much time Mr. Cote would spend with this project. Mr. Cote estimated 4 ½ to 5 hours.

Selectman Hooker pointed out everyone had done what the Planning Board requested.

The question of how much of the Highway Agent's time was going to be taken up was back before the Board for discussion. Selectman O'Neal asked for an estimate. Mr. Cote explained that four test pits are required in the area of the subdivision and two on the transitional piece. Mr. Cote will witness the digging of the test pits.

MOTION: Vice Chairman Robertson made a motion to authorize the work to be done as proposed and presented by Chris Stillbach, whereby it is the private Class V section of Brown Road. The work to be supervised by Alex Cote, Highway Agent and done in conjunction with the New Hampshire Department of Transportation (NHDOT) standards. Seconded by Selectman John Reagan.

Discussion: Selectman O'Neal asked if the work was bonded. Mr. Cote did not see a need for a bond as the contractor had insurance coverage. The concern was making sure that what was started was finished.

Where the authority would lie was the question at hand. Chairman Barry believed the Selectmen would have the final authority over the existing roadway. Vice Chairman Robertson pointed out that in this instance the roadway is in poor condition and repairing it does not affect anything further up.

Alex Cote stated he looked at this section of road with SCI, Pete Schibbelhute, and the cost of repairing the road was around \$10,000 which meant if a bond is requested it could

be for nothing in excess of that dollar amount. Vice Chairman Robertson commented the approximate cost of a bond, for that amount of money, would be \$250.

Chairman Barry pointed out the motion did not include the request for a bond.

Selectman O'Neal asked what the timeframe was to get the work done. Chris Stillbach replied, very quickly. Selectman O'Neal questioned if very quickly meant about a week. Mr. Cote said a week and a half would be reasonable provided there are no headaches or breakdowns.

Chairman Barry recognized Frances Menard. Ms. Menard spoke as a member of the Planning Board saying that Fred McGarry was concerned with not having drawings which Jim Franklin has now provided. In addition, Alex Cote said the plans are per NHDOT standard specifications.

Selectman Hooker agreed that is what was asked for and Mr. Stillbach and Mr. Franklin have done exactly what was requested. Selectman Hooker stated he was still on the fence about a bond and the fiduciary responsibilities.

VOTE: Chairman Barry called for the Vote. The Vote was Yes-4 No 1.
It was a Vote in Favor.

Chris Stillbach mentioned there would still be more approvals to be obtained from the Planning Board and he will be attending the Planning Board Meeting on September 23rd.

Review of Correspondence:

1. Liberty Tree/Donation

Joe Manzi, Parks and Recreation Director, looked for a location for the Elm Tree that was being donated to the Town. The location he chose, with the Board's blessing, is the Gazebo Field. The Board was in agreement but requested Mr. Manzi contact Alex Cote, Highway Agent, regarding underground wiring. It was thought a call to Dig Safe would be appropriate.

2. Letter/Deerfield Volunteer Fire Department/Re: Status of Fire Chief

Gary Clark, President of the Deerfield Volunteer Fire Department wrote expressing the opinion of the Fire Department that it is their desire to have the Volunteer Fire Department operate as it has in the past. The letter contained the observation that if the appointment carried the language "Fire Chief" and not "Fire Ward" that would be within the parameters of the law.

Chairman Barry pointed out this recommendation came forward from the Deerfield Volunteer Fire Association and it was his suggestion it now be forwarded to Town Counsel for his review. Selectman O'Neal wondered if there were any requirements for Town Meeting approval. Vice Chairman Robertson preferred that Attorney Upton offer his opinion as a couple of different options may be available and within that answer it would be learned if it needed to go forward to Town Meeting.

3. Public Service Company of New Hampshire (PSNH)/Pavement Assessment

The report received from David Plante of PSNH outlined the pavement assessment for Nottingham Road and Cate Road. The question was asked if there was any damage done as a result of the Town's "house guest" of two weeks ago. Alex Cote, Highway Agent, reported only a few minor cracks on Nottingham Road and one on Parade Road.

Selectman O'Neal asked how the cracks would be repaired. Mr. Cote indicated with crack sealer. Mr. Cote added that there was one crack that was already present and it just grew a little.

Selectman Hooker pointed out that Mr. Cote walked with the motorized trailer. Selectman Hooker asked the question about road damage that evening and received the answer the damage was minor.

Selectman O'Neal thought the move over Town roads went rather quickly. Mr. Cote replied yes that, in total, it took 2 ½ hours. Around 3:30pm on the day of the move, over Town Roads, Ross McLaren asked that Mr. Cote be present while the equipment moved over Town roads.

According to David Plant, the resurfacing project which included grinding, grading and paving would hopefully be completed this fall. Selectman O'Neal asked Mr. Cote to obtain the status of the project and what PSNH's schedule looked like in terms of accomplishing this phase of the project after the completion of the heavy construction work at the substation. Chairman Barry could see an advantage to waiting until after the winter months to do the paving.

4. E-Mail/8th Grade Car Wash

Julie Decosta wrote requesting permission to have the fees waived for the use of the front of the G. B. White Building for a fundraiser for the 8th Grade Class. There was no recollection of charging fees in the past for the use of the front of building for this purpose.

MOTION: Selectman Alan O'Neal made a motion the Board authorize the use of the front of the G. B. White Building, for a car wash, as a fundraiser for the 8th Grade Class. Seconded by Vice Chairman R. Andrew Robertson.

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

5. Letter/Deerfield Community School/Disposal of Equipment

Donald Nichols, Maintenance Director, wrote to the Selectmen requesting permission to dispose of a refrigerator, full sized washer, wall mounted water bubbler, steel frame from a desk at the Transfer Station. The Selectmen were in agreement the items could be disposed of at the Transfer Station and that Lenny Mandigo should be notified in advance of delivery.

6. Memo/Rick Pelletier/Re: Transfer Station Director's Position

Mr. Pelletier accepted the offer of Interim Transfer Station Director with the understanding that if the position impedes his position as Code Enforcement Officer he would step away. The duties were previously outlined. Selectman Reagan suggested the Board continue the search. Vice Chairman Robertson understood it was strictly on a temporary basis. Chairman Barry saw the need to continue looking for another individual to operate the Transfer Station. It was the consensus of the Board of Selectmen to get Rick Pelletier started as Transfer Station Director.

7. Request for Waiver/Town Clerk/Tax Collector/Re: Richard Dowling \$16.67

The request was to waive interest for Richard Dowling in the amount of \$16.67 due to an incorrect address. The recommendation of the Town Clerk/Tax Collector was to deny the request.

MOTION: Selectman John Reagan made a motion to accept the recommendation of the Town Clerk/Tax Collector and deny the request for a waiver of interest for Richard Dowling in the amount of \$16.67. Seconded by Vice Chairman R. Andrew Robertson.

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

8. Letter/Peter Moore Road Construction/Michael Connelly and Neighbors 174-177

The correspondence addressed the noise from a logging operation, and damage to Town roads. These were concerns of Mr. Connelly and neighbors in the area.

Vice Chairman Robertson questioned if there was actual construction associated with this operation or was it a standard logging operation and a landing was being built.

Richard Pelletier's e-mail pointed out that Peter Moore Road has seen activity by surveyors and a developer. There was clearing and stumping for a house lot taking place but he did not see any violation. If trespass was involved that would be a civil matter. If the timeframe for the noise was outside of the ordinance for such operations that could be addressed in a letter.

Alex Cote, Highway Agent, said the noise issue was not during the logging operation but was confused with the site work being done by Chuck Sargent. A call had been made asking about the feasibility of using Peter Moore Road but due the condition of the road that did not happen.

To minimize the situation, Chairman Barry suggested contacting the Police Department about noise and the limitation of hours in the ordinance. Mr. Cote talked to the homeowner and the homeowner assured Mr. Cote the damage would be taken care of.

Selectman O'Neal questioned if the logging operation was bonded or not. Mr. Cote replied the loggers are done and if there was a bond, it would not apply to Peter Moore Road, as it is not a Town road. Selectman O'Neal pointed out there was access from a Town road and that fact shouldn't be taken out of the equation. In a conversation with the homeowner, the homeowner indicated to Mr. Cote he just wanted to be a good neighbor and would work with everyone.

9. Department of Environmental Services/Pleasant Lake Dam Culvert Replacement

This letter carried information regarding the replacement of the culvert at the Pleasant Lake Dam. The notation of not paving until spring was discussed briefly. The Highway Agent, Alex Cote, was comfortable leaving the section graveled until spring. Selectman O'Neal asked if the Town plowed that end of Gulf Road. Mr. Cote said there is a maintenance agreement, in place, with Northwood. Selectman Hooker questioned if half the road would be done at a time allowing for passage of vehicles. Mr. Cote replied yes.

Review of Outstanding Minutes/August 24, 2009:

MOTION: Selectman John Reagan made a motion to approve the Minutes of August 24, 2009 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 August 24, 2009 stand approved as written.

Town Administrators Report:

1. 2010 Town Operating Budget/2010 Warrant Articles/2010 Estimated Revenues

Attached to the Town Administrator's Report was a copy of the proposed 2010 Operating Budget. The areas of the proposed budget that will require review were outlined for the Selectmen. Next week the Board will begin their meetings with Department Heads starting with the Police Department, Library and Government Buildings. A list of proposed 2010 Warrant Articles was also provided along with projected revenues.

2. Delinquent Taxpayers

Two taxpayers are working on re-paying back taxes. As the time draws near for Tax Deeds to be handed to the Selectmen, if balances remain due on these properties, appointments will be scheduled for the taxpayers.

3. Deerfield Fair/Miss Deerfield Fair Pageant

Recently, the individual heading up the Miss Deerfield Fair Pageant was advised the cost to use the Deerfield Community School to hold the pageant, if it rained, would be \$275. The Town Hall is available and, in the past, the Selectmen have opted not to charge the Fair Association due to their generous donations and the large sum of property taxes the Associations pays. Currently the group holds interviews

in the lower section of the G. B. White Building on the day of the pageant. The request was for the Selectmen to reaffirm there would be no charge for the use of the Town Hall, if needed.

MOTION: Selectman Alan O'Neal made a motion the fees be waived for the Deerfield Fair Association for the use of Town buildings for the Miss Deerfield Fair Pageant. Seconded by Vice Chairman R. Andrew Robertson.

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

4. 2010 Default Budget (Draft)

Mrs. Heon had one copy of the draft of the 2010 Default Budget as the copier had jammed. Copies will be available tomorrow.

5. Copier/Budget Packet

Mrs. Heon noted that if any of the budget packets didn't contain all the information to let her know as there were many issues with the copier during the printing of the packet.

Unfinished Business/Other Business/New Business:

1. Joint Fiscal Committee

Selectman Hooker reported having met with the Deerfield School Board regarding the Joint Fiscal Committee that was being established. School Board Member, Kevin Barry, volunteered to work with Peter Warburton to find ways to save money. The SAU works with a group that has a larger buying power but when the catalogue was presented to the Town Office Staff, and a couple of items chosen for price comparison, the Town gets better prices than the SAU.

2. Planning Board/Master Plan

According to Selectman Hooker, a summary of the Master Plan will be prepared by the Southern New Hampshire Planning Commission. The summary will be approximately six pages and about 100 copies will be made available. This will be posted to the Town Website along with the entire Master Plan. Copies of the entire Master Plan will be at the Town Offices and the Library.

3. School Surplus

Vice Chairman Robertson has heard several different numbers of what might be returned as surplus from the School District. Selectman Hooker heard the number of approximately \$306,000 from Peter Warburton.

4. Board of Selectmen/Meeting Schedule Change

The Board members briefly discussed returning the meeting schedule to a start time of 5:30pm.

MOTION: Selectman John Reagan made a motion the meeting schedule return to a start time of 5:30pm. Seconded Vice Chairman R. Andrew Robertson.

VOTE: Chairman Barry called for the Vote. The Vote was Yes-4 No-1.
It was a Vote in Favor. Selectmen's Meetings will begin at 5:30pm.

5. Transfer Station/Privatization

Given all of the issues with the Transfer Station, Chairman Barry suggested the Board look at the possibility of privatizing. There are other towns that have gone that way. His thought was to continue with the current employees but the remainder of the tasks would be handled by someone else.

Vice Chairman Robertson would want to see a proposal or hear a presentation. Selectman Hooker asked if this item would go through the bid process. Chairman Barry said he would like the Board to authorize the Town Administrator to put together a Request for Proposals and see what the costs would be.

Selectman Hooker wondered if the hours of operation would be the same or different. Chairman Barry thought the Transfer Station would then be open every day.

6. Transformer Move/Highway Agent

Alex Cote, Highway Agent, informed the Selectmen that the night the transformer moved over Town roads, Ross McLaren advised Mr. Cote to bill HLI for eight hours of Mr. Cote's time for the assistance he provided to HLI.

Chairman Barry recalled Mr. Cote was to take time off as compensation for any additional hours he worked when the transformer was moving. Chairman Barry asked how the Board wanted to proceed regarding the invoice to HLI.

Selectman Reagan said the request is to bill for eight hours and he would do that and add on all other charges that are applicable. Selectman Hooker did not agree with invoicing HLI for the Highway Agent's time. Selectman O'Neal asked what rate was being charged. Mr. Cote believed the rate would be his hourly rate. Selectman O'Neal favored billing HLI.

Selectman Hooker recalled that on August 21st Ross McLaren said at the pre-meeting that Mr. Cote would not be needed on the State roads but possibly the Town roads. The Selectmen made mention of a formal request for something in writing. Chairman Barry said an e-mail did come in.

There was brief discussion about compensating a salaried employee. Chairman Barry pointed out the work was done outside of the normal eight-hour day. Selectman Hooker did not want to compensate Mr. Cote, with pay, as he could take time off as compensation. If HLI was billed, and the money received, it would go into the general fund. The consensus of the Board was to bill for Mr. Cote's time, eight hours.

Citizen's Comments:

1. Kathy Shigo/Transformer Move

Mrs. Shigo wanted to go on record thanking the Police, Fire and certainly Alex Cote, Highway Agent for the time spent during the transformer move. These individuals are extremely dedicated.

2. Kathy Shigo/Road Disrepair

It was Mrs. Shigo's belief that Cate Road was six or seven times worse due to the cement trucks and dump trucks traveling the roadways to get to the substation. Mrs. Shigo pointed out that tiny cracks become big cracks and she recommended the Town go after PSNH and ask for the repairs to be done. Chairman Barry explained the cracks would be filled by Highway Department employees, with a sealant. The equipment was purchased three or four years ago for this purpose. Mrs. Shigo believed PSNH should do the repairs.

3. Harriet Cady/Sprinker Systems

Mrs. Cady advised the Selectmen she had learned of a new requirement regarding sprinkler systems which seemed outrageous. Since Mark Tibbetts, Fire Chief, serves on that Board, the Board of Selectmen should send a message to the Fire Chief that they do not recommend that change to the building code. Mrs. Cady thought the costs would be prohibitive to the homeowner.

4. Harriet Cady/Bid Specifications/Town Hall Painting

Mrs. Cady pointed out Mr. Young segregated the painting of the shutters and wondered if all the other bids were including shutters. Selectman Reagan stated painting shutters was included on the bid notice as part of the specifications.

5. Harriet Cady/Joint Purchases-School and Town

Mrs. Cady recalled the School and the Town considering the joint purchase of fuel in the past and asked if that was still done. Chairman Barry replied not at this time. Vice Chairman Robertson indicated the Selectmen were looking at it again this year along with other areas where savings were possible.

6. Harriet Cady/Accounts Payable Check to School District

As School District Treasurer, Mrs. Cady did not recall asking for a \$200,000 check that was noted in the Accounts Payable Manifest. It was explained the check was in a prior manifest, which because there wasn't a meeting, the Board was signing tonight.

7. Joel Hughes/Harvey Road/Asplundh Tree Service/Complaint

When Mr. Hughes went to leave his residence the other day, Asplundh Tree Service was working in the road and had the whole road blocked off. Mr. Hughes then went to go out the other way only to find that end of the road was blocked as well. It was learned that Asplundh was hired, by PSNH, to trim trees. There were other instances, in Town, where roads were blocked by Asplundh. The Board suggested Mr. Hughes discuss this with Chief Greeley. The Town Administrator was asked to contact PSNH to seek assistance from their end.

8. Harriet Cady/Encumbrances/Deerfield School District

Recently, in an exchange of e-mails with Selectman Hooker, Mrs. Cady discussed encumbrances and when they should occur. Mrs. Cady stated that encumbrances must be completed prior to the end of the year; June 30th or December 31st. In the case of the School District, the encumbrances were signed after the close of the year. Mrs. Cady thought the Board could remind the School District of the law.

There was also the question of how encumbered funds are expended and the need to have a designated project. Vice Chairman Robertson has heard of the concern and is waiting to read the School Board Minutes.

9. Don Daley/Board of Selectmen Meeting Time Change

Mr. Daley stated he didn't favor the time change to starting meetings at 5:30pm as it doesn't allow enough time for the public to leave work and get to the meetings. He asked the Board reconsider their decision.

Adjournment:

7:39pm

Selectman Walter Hooker made a motion to Adjourn. Seconded by Vice Chairman R. Andrew Robertson. Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The September 14, 2009 Meeting of the Board of Selectmen is adjourned.