

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
October 5, 2009  
MINUTES**

**Call to Order:**

5:30pm 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; Selectmen John Reagan, Walter C. Hooker and Alan E. O'Neal

Also Present: Cindy Heon- Town Administrator, Cynthia E. Kelley- Finance Director and Nese Farrell- Recording Secretary

**Pledge of Allegiance to the Flag:**

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

**Citizen's Comments:**

Richard Dowling presented a concern regarding his tax bills that were not sent to his correct address. Mr. Dowling feels he shouldn't have to pay the interest fee of \$16.80, as he informed the Town Office with the correct address change. He said he sent a letter to the Board and spoke to the Tax Collector, who informed him that he did not receive the address change from next door. He stated that when he attempted to change it last November, he was told it could not be changed unless it shows the correct address on the deed. He claims that the woman he was dealing with asked the Tax Collector if she could change his address and he gave her the permission to do so.

Chairman Barry confirmed with Cindy Heon, Town Administrator that the Town Clerk's recommendation was to not waive it. The Board agreed to have some time to investigate on this and bring it up in two weeks at next meeting. Cindy Heon made an appointment for him to be on the agenda for the next meeting.

**LCHIP/Grant Application**

**Heritage Commission/Deerfield Historic Town Hall Accessibility Project**

Representing the Heritage Commission, Fran Menard stated that for the grant for an elevator to provide accessibility to the Town Hall, offered by LCHIP, all applications are due on October 16, 2009, but the Board is not meeting until October 19, 2009. She further stated that one of the most important documents, the grant application, needs the signature of the Board. She presented a draft to the Board which requests a grant of \$260,000.00 for the handicap accessibility project.

Mrs. Menard reminded the Board that they submitted a warrant article for \$200,000.00 to be voted on and the fire suppression project was done in March of 2007; the fire suppression project was chosen to be done before the elevator project. She further stated that the Heritage Commission would have to be rebid the project. She advised the Board that the architect who had drawn up the original plans had updated the cost estimates last year. The simplest one would be to add enough room on the back of the addition of the Town Hall for an elevator, redo the stairs, including two toilets and a new entry; all of which would satisfy the ADA for accessibility issues. Mrs. Menard stated that she was informed that the stewardship for land conservation is different than for a building, and at first, she was not sure which one to use.

MOTION: Vice Chairman Robertson made a motion to sign the documentation for the grants. Selectman Reagan seconded the motion.

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

**Parks and Recreation Department/Parks and Recreation Commission**

**Present:** Joe Manzi- Parks & Recreation Director, David Hanson- Parks & Recreation Assistant, Dwight Barnes- Commissioner and Jeff Shute

**Follow-up on Use of G. B. White Building:**

Joe Manzi addressed Rick Pelletier's letter of opinions for the rooms in the G. B. White Building that the Recreation Department would like to use. Selectman Hooker stated that there was a citizen comment at one point regarding the Board turning down an entity for use of the same area and was concerned about turning down one organization just to approve another. Chairman Barry recalled that the Board's discussion on that request to rent the space was to no longer rent it out. He feels a town program using the space that is just sitting there, and not renting, is appropriate.

Vice Chairman Robertson reiterated that his only concern was if the rooms were safe and if it is possible to shut off heat to that side of the building to save on the energy bill. It was confirmed that the energy issue is not the case, as the heat needs to be on to a certain degree. He spoke to the Recreation Department and they use the Town Hall for a number of programs that involve energy use during the heating season. He further stated that if the Building Inspector and Code Enforcement Officer feel its safe then he feels there should be no problem in the Recreation Department using that space.

Selectman O'Neal added that the Building Inspector made comments on life safety issues and some improvements that will need to be made.

He would like to know what costs might be incurred. He further stated that if we were to consider this proposal, the Board should probably also hear the proposal from the middle school.

Chairman Barry replied that he does not feel comfortable renting out for long term in that building. He further stated that if its just sitting there needing to be heated regardless of occupancy and the Recreation Department can make use of it for some of their programs, he feels there should be no problem allowing them to do so.

Selectman Reagan recalled that he had specifically asked for the dollar amount on what it costs to heat that building and that the Board had no answer on that yet. He asked why the Recreation Department needed more space when they have the whole downstairs. Chairman Barry confirmed that this portion and the room downstairs are used by multiple different factions here in the Town Government that requires heat during its use. He further stated that as recommended by Joe Manzi, it would be simpler to use those rooms having them setup permanently, rather than have to take everything down to move them in and out. Joe Manzi stated that the major factor is that the downstairs of the Town Hall is not handicap accessible. Chairman Barry feels that makes it a valid point.

**MOTION:** Vice Chairman Robertson made a Motion to allow the Parks & Recreation Department use the classroom space that has vacated. It was seconded by Selectman Hooker.

**Discussion:** Selectmen Reagan and O'Neal still would like to look at heating costs, upgrade cost numbers and where the Recreation Department is going to get the funds from before signing. Vice Chairman Robertson does not feel any additional funding for heating is necessary and they currently have a budgeted heating cost that contemplates heating it as they have it now. Chairman Barry does not feel that the upgrades are going to be seriously expensive and regardless, it must be done as it is a public building. Vice Chairman Robertson added that if renovations come back to be some sorted amount the Board can always change their decision. Joe Manzi replied that the Recreation Department is comfortable on making the decision contingent on those types of things.

Selectman Reagan stated that he would rather see the cost later and have to action against the Recreation Department decision.

**MOTION WITHDRAWN:** Vice Chairman Robertson withdrew his motion for another two weeks to get numbers on cost of improvements and heating that space. Selectman Hooker withdrew his second to the motion.

#### **Parks and Recreation Commission Appointments:**

Chairman Barry stated that Frank Diaz, Chad Woods, Joe Stone and Harriet Cady had expressed interest in becoming a Commissioner for the Parks & Recreation Department. Commissioner Dwight Barnes stated that they wanted to get the Commission up to seven members, with the four current members to remain and three additional to join. The Commission does recommend Mr. Woods, Mr. Diaz & Mr. Stone, as they are people interested in supporting and encouraging the Parks & Recreation Department to continue to be a strong, positive force in the community. He further stated that the current members do not feel that Mrs. Cady would be a constructive or positive benefit towards the betterment of the Recreation Department. Therefore, the existing members (Dwight Barnes, Rick Pelletier, Jonathan Hutchinson & Jeff Shute) do not recommend her request and would like to just go with the three initial candidates.

#### **Appointment Forms/Parks and Recreation Commission**

**Term of Office: April 2012**

**MOTION:** Vice Chairman Robertson made a motion to appoint Frank Diaz, Chad Woods and Joe Stone to the Parks & Recreation Department. It was seconded by Selectman Reagan.

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

Selectman O'Neal asked if a Chairman of the Parks and Recreation Commission was elected. Dwight Barnes confirmed that Jack Hutchinson is the acting Chairman. Chairman Barry requested that the Commission follow all rules of the RSA 91A; posting their agenda and following all necessary aspects. Mr. Barnes referred to Mrs. Cady's email this morning indicating that their most recent meeting was not a legal meeting. He confirmed that the meeting had been posted and minutes were taken.

#### **Deerfield Conservation Commission and Forestry Commission**

**Present:** Serita Frey~ Chairman, Erick Berglund~ Treasurer and Frank Mitchell

#### **Proposal/Conservation Easements:**

Chairman, Serita Frey, presented a proposal to obtain permanent protection on the current town forests and conservation properties. She referred to an article that Frank Mitchell drafted, which the Commission is planning to submit to the Forum. This article would summarize the proposal. She stated that there are more than 650 acres of town forest and other conservation properties; and currently only one of them (Freese Property) is under permanent protection. She added that now with the Forestry Committee, the Commission is trying to develop a

long-term management plan. The Conservation Commission feels it would be in the best interest of insuring that management plan has the long-term vision that it needs, if these properties were actually permanently protected. Mrs. Frey stated that the Commission asks for the Board to support them in pursuing the idea and ask for their advice on how to fully inform town residents about the proposal or whether this is something the Board would recommend putting before the voters in the spring.

Frank Mitchell (a former Conservation Commissioner) stated that he volunteered to the revitalized Forestry Commission and has been meeting with both Kevin Cini and the Conservation Commission on the forest management plan aspect of things. Mr. Mitchell stated that he is representing Bear Paw, and together they have put together a cost estimate but they do not have to be involved.

Mr. Mitchell informed the Board that this process would entail a drafting and recording of conservation easements for several of the town forest properties, as was done with the Freese Property. The document is drafted, passed by the Town Attorney and recorded at the Registry of Deeds.

Mrs. Frey emphasized that this would be at no additional cost to the Town, as it would come from the existing Conservation Fund and they have brainstormed ideas for reducing the cost, such as grant writing. Vice Chairman Robertson urges them to move forward with this, but does not know that it needs to come for an advisory vote on the ballot this year, as he suspects that most think that all the forestlands are already protected. Selectman Hooker referred to the town forest property that is not currently protected, and asked if the Town actually owned those and do they still have easements from private property owners.

Mr. Mitchell replied that they are town owned properties that have been designated town forest by a town meeting vote. He further stated that in some cases it is in the deed; for example the McNeil property was given to the Town in memory of Agnes McNeil as a conservation area of the Town. He added that Dowst-Cate Town Forest was given to the Town by Gilbert Knowles of Epsom as a town forest and park. He stated that the Lindsey property was specifically given for conservation purposes.

Mr. Mitchell stated that the Director of Bear Paw, Dan Kern came up with an estimate of \$68,000.00 for these seven properties, but included the cost of the survey on the Hart property. He added that Dan Kern also thinks they can raise money for some of those costs. Vice Chairman Robertson stated that it would essentially be protection for the Board of Selectmen and the future Selectmen who might opt to do something with this property. Mr. Mitchell replied that it would.

Selectman Reagan asked if all the properties in question have conservation easement on them or is this to roll in all the property. Mr. Mitchell disagreed and stated that these are the major pieces already designated as town forests or conservation land, but that do not have conservation easements on them. He added that there are eight of these properties, one has a conservation easement on it (Freese Town Forest) and the other seven town owned properties that do not have conservation easements. Serita Frey added that this list does not include the Alvah Chase property, which would have been included on the list if they were aware of the outcome of that decision.

Selectman Reagan stated that it sounded like an in-around on what a conservation easement is; to convert town owned land to a conservation easement by an action of the Board and that maybe it should be proposed as a warrant article for the voter's approval. Mrs. Frey welcomed the Board's suggestions, as many of these were gifted to the Town with the intent of them being conserved long-term, but at the time they did not have conservation easements put on them to ensure that permanent protection.

Frank Mitchell confirmed that the Veasey Property is not on the list, as it is a town park. He listed Alvah Chase Town Forest, Dowst-Cate, and Weiss Town Forests, Hart Town Forest, Lindsey Conservation Area, McNeil Conservation Area and Wells Town Forest; each ranging from 40-100 acres.

Chairman Barry stated that it should go on a warrant article and if the town's people support it, then the Board could then support it. Vice Chairman Robertson suggested that an advisory warrant article for the Board to proceed might be better. Chairman Barry agreed to put an advisory warrant article on the ballot for March; based on the Town's opinion, and then the final approval of the Board can be made. He asked the Conservation Commission to draft something up and give it to the Town Administrator to give to the legal counsel for advice prior to the Board's further discussion.

The Board also requested on the Veasey Park property being investigated to see what protections can be applied to that property as well. Frank Mitchell added that it is his understanding that the only one that can force a deed restriction later on is an original writer or an heir to the property. Harriet Cady, who was present, stated that from her knowledge in real estate, anyone can.

#### **2010 Budget Presentation/Deerfield Conservation Commission**

**Present:** Serita Frey~ Chairman, Erick Berglund~ Treasurer and Frank Mitchell

The Conservation Commission Treasurer, Erick Berglund referred to the Key Accomplishments of 2009 document which was a quick

summary of what the Commission has been working on this year. He stated that the Commission has been working closely with the Forest Commission and there bullets mentioning some of the key things happening there. He informed the Board that Freese Town Forest has been approved for public use of activities and the sign is scheduled to be put in place by Alex Cote. He added that they are working with Fish and Game concerning the safety sign. He mentioned that the Open Space Committee has been revitalized and will meet for the first time this month. He referred to the Deerfield Town Forest & Conservation Lands and that Lisa Wohlford has volunteered to gather all the documentations on all the various properties.

Chairman Barry asked why the Conservation Commission's budget is \$283.00 more. Mr. Berglund replied that until recently, the Commission has been struggling without administrative support and have hired an on-call town employee to assist. He stated that it is roughly nine hours a month for transcribing the minutes and some administrative organization. He mentioned that there is a backlog in administrative duties that need to be done.

Mr. Berglund confirmed that the equipment line is controlled by the Board and it is reduced by \$15.00. He stated that he Commission are supporting members of Bear Paws at \$100.00 a year, the New Hampshire Association of Conservation Commission at \$250.00 a year and the Lamprey River Watershed Association at \$100.00 a year. Mr. Berglund confirmed that the dues are paid before the end of the year. He added that the Commission has made an adjustment by reducing the postage line by \$44.00 by dropping the post office box rental, but will add that moneys to the on-call employee line.

Selectman Hooker referred to the legal services line being overspent by \$200.00 and asked if there was reason to believe it may be \$500.00 again. Mr. Berglund feels that it may be hard to forecast, but that line represents 50% of the cost of the surveyor for the Alvah Chase Forest.

MOTION: Vice Chairman Robertson made a motion to accept the Conservation Commission's budget as presented. It was seconded by Selectman Reagan.

VOTE: Chairman Barry called for the Vote. The Vote was 4-1 in Favor.

#### **2010 Budget Presentation/Forestry Commission**

**Present:** Serita Frey~ Chairman of Deerfield Conservation Commission, Erick Berglund~ Treasurer of Deerfield Conservation Commission

Chairman Barry stated that Kevin Cini informed the Board that he would not be present tonight, but is comfortable with the \$6.00 for the Forestry Commission Budget.

Selectman Hooker referred to Kevin Cini's Forestry Plan he is putting together and asked if it is being paid for by the Conservation Commission or is it coming out of the Forestry Commission. Erick Berglund replied that the Conservation Commission has agreed to front the money in this investment, with the idea that when there is some revenue produced from the timber sale, it will come out of that plan. The Select Board agreed that they would support this article in the warrant and would need to go to a Town Meeting to divert any moneys from those timber sales to repay the conservation fund. He explained that any money from timber sales, on town forests, must go to Town Timber Forest maintenance.

MOTION: Selectman Reagan made a motion to approve 2010 Forestry Commission Budget. It was seconded by Vice Chairman Robertson.

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

#### **2010 Budget Presentation/Transfer Station**

**Present:** Rick Pelletier~ Transfer Station Director-Interim

Selectman Reagan stated that they have failed to have a third employee at the Transfer Station on Saturdays, and are at risk with the Labor Board on the way the employees are utilized. He further stated that there is no provision for break time for these employees all day long, and on Saturdays they have no backup person for breaks or lunches for the two working. Vice Chairman Robertson added that the Town has already been cited by the Labor Department for not organizing appropriate breaks and lunches over there.

Selectman Reagan stated that there are still rentals for five containers and that they have gotten off the program on those containers. Another \$9,000.00 was added without a specific bid. Chairman Barry asked to see if there is any money left in equipment line to do that towards the end of the year. The Town Administrator, Cindy Heon stated that an invoice would be needed.

Transfer Station Director, Rick Pelletier informed the Board that he will be meeting this week with Northeast Recycling Association, which the Town is a member of. They informed him that they have not yet visited our facility and are looking to see how things are handled and advise how things could be done better. Mr. Pelletier informed the Board that he, Lenny Mandigo and Kyle. Mr. Mandigo will meet with them to look at the facility on Thursday. He stated that Lenny Mandigo has indicated that the entire curbing needs to be painted due to requirements and he has purchased the paint for this to be done, which Mr. Mandigo has along with the necessary supplies to do this work. He also informed

the Board that the propane tanks are going to be removed tomorrow. He stated that he is looking into the indicated issues with the post and chains that are bent or damaged. He is getting prices on black iron pipe to cut and post. Mr. Pelletier confirmed that there appears to be enough money in maintenance and repair line.

Mr. Pelletier referred to the plastic compactor and that a section of the top is rotted away and he is waiting on Lenny Mandigo to replace this after he gets the materials for him to redo the top. He added that the compactor company needs to be contacted to have the compactor put into place; the assembly needs to be bolted down and anchored in place. The area to receive the dumpster needs to be made ready and then it will be operational. He has requested a price and they will need to come and look at it.

Mr. Pelletier stated that the current budget seems to be in line and he is trying to get numbers on whether they can do better on recycling. He can make better recommendations on the budget once meets some of these vendors mentioned. Chairman Barry asked Mr. Pelletier to come back some time in November with his additional information to present to the Board.

Selectman Hooker referred to the container possibly having some solid waste impact fees. He mentioned that on his summary page for disposal solid waste has a budget the same as last year, but the description states it has an increase in surcharges and fuel cost. He questioned if numbers should be higher for next year if there are in fact increases. Mr. Pelletier feels it is possible and will look into that further.

Chairman Barry referred to the hauling of the 100 yard container on wheels (which goes through Casella to Peter Osborne trucking) and upon investigation, recommends increasing the haul rate from \$350.00 a haul to \$400.00.

MOTION: Selectman Reagan made a motion to increase the haul rate. It was seconded by Vice Chairman Robertson.  
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

Rick Pelletier informed the Board that he has received some prices on mowing. He asked the current mower for a quote. He replied that the general mowing for the Transfer Station (lower section at the entry around the swap shop) would be \$150.00 per visit, which includes weed whacking and trimming. Mr. Pelletier anticipates about twelve cuts a year, depending on the weather and growing season. He also gave a second price to mow the mountain that would be \$350.00, which includes mowing the entire hill over the back side. Chairman Barry feels that at the very least that should be done and the \$1,000.00 in that budget should be sufficient.

#### *Vouchers:*

##### **Payroll Manifest/\$44,863.42**

MOTION: Vice Chairman Robertson made a motion to approve the payroll manifest. It was seconded by Selectman Reagan.  
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

##### **Accounts Payable Manifests/\$675,465.58**

MOTION: Vice Chairman Robertson made a motion to approve the accounts payable manifest. It was seconded by Selectman Reagan.  
VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor.

#### *Signatures:*

##### **2008 Audit**

##### **Approval/Acceptance of 2008 Audit – Financial Report**

MOTION: Selectman Hooker made a motion to approve the auditor's report entirely as submitted. It was seconded by Vice Chairman Robertson.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The MS-5 and General Representation Letter were signed.

##### **Farrelly Letter/ Lot line**

The Farrelly letter is requesting to include lot merger effective in the 2009 year. The Board is denying his request to make it effective for the tax year.

##### **Municipal Public Access Agreement LRPA-TV Lakes Region**

Selectman Reagan feels it is a tremendous amount of money for a low quality presentation. Selectman Hooker asked if the Cable Committee had commented on this. Harriet Cady, who was present, stated that they have not. Vice Chairman Robertson agreed to have the Cable Committee to look into this. Selectman O'Neal suggested that if they end up with equipment some day, this would be an expense that goes away, as the Town would have their own equipment and would be a cost savings going forward. Chairman Barry confirmed that the Board

would submit to the committee for any recommendations and revisit this at a later date.

#### **Veteran's Tax Credit/2010**

##### **Map 419 Lot 022/Alan Carter and Linda Carter**

MOTION: Selectman O'Neal made a motion to accept the application. It was seconded by Selectman Reagan.

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

#### **Review of Outstanding Minutes/September 14, 2009 and September 21, 2009:**

MOTION: Vice Chairman Robertson made a motion to approve the minutes of September 14, 2009 as written. It was seconded by Selectman Reagan.

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

MOTION: Vice Chairman Robertson made a motion to approve the minutes of September 21, 2009 as written. It was seconded by Selectman Hooker.

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

#### **2010 Budget Presentation/Follow-up/Police Department**

**Present:** Mike Greeley, Chief of Police

Chief Greeley informed the Board that he took his cruiser into a Ford dealership and that they found the bottom portion of frame rusted and split at the seam, as well as a crack on another section on side of the frame. He stated that the Ford dealership recommended taking it off the road immediately and he confirmed he would do so immediately.

Chief Greeley confirmed that the older vehicle that was taken out of service is now used as the detail car and has some issues. He informed the Board that a dealer in Massachusetts (MHQ) has a leftover 2008 Ford Crown Victoria that hasn't been used that can be up-fit with all the items out of his existing cruiser for just under \$22,000.00. He did not inquire on whether it has an extended warranty yet.

Chairman Barry believes that the Police Department cannot operate without all four cruisers and the Board has an obligation to provide their officers with the equipment needed to do their job. Chief Greeley confirmed that he could not find the money for a new cruiser in his budget, other than out of the salary line of the resigned officer.

Selectman Hooker stated that the Board needs written quotes to answer questions and proceed quickly. Chief Greeley agreed to get the verbal quotes put in writing for the Board to give the approval to start the purchasing.

MOTION: Vice Chairman Robertson made a motion to authorize spending up to \$22,000.00 for the purchase of a replacement cruiser, with the potential cost of an extended warranty if available. It was seconded by Selectman Hooker.

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

Chairman Barry addressed the police manpower proposal. Chief Greeley stated that Officer Craig Maloney is leaving the end of November and is willing stay on part-time until February until his position is filled. Selectman Hooker addressed the decrease in manpower hours and asked what happened to the other 1,400+ hours of coverage previously. Chief Greeley replied that it will not be there and that he will have to do more patrol time on Mondays and Fridays as he is doing at this time. He confirmed that he calculated 304 hours per officer based on if they were working an eight hour shift; three shifts a month.

Vice Chairman Robertson asked if there would still be 24 hour coverage based on these schematics, assuming that the time of overlapping officers was reduced. Chief Greeley replied that unfortunately he did have to overlap and there would be 24 hour coverage. Selectman Hooker asked how the overtime was calculated, as the old way and current way are the same number of overtime hours, but there is a difference in number of officers now. Cindy Kelley said there was an error on the sheet; the \$10,118.00 was not carried over to the column. Chief Greeley stated that the overtime hours would be to cover part of any shifts, court appearance hours and any additional hours for training.

Selectman Hooker is concerned about less protection to the Town and how the department is going to manage the hours of lost coverage time. Chief Greeley has given this alternate proposal with less protection due to the Board not approving a replacement officer being hired. Vice Chairman Robertson foresees scheduling conflicts with part-time officers who have other jobs as well. Chairman Barry feels the Town should replace the officer that is missing now and keep the force at the level that it should be. Selectman O'Neal would like to see the numbers for eight full-timers versus the numbers of part-timers, as well as the true cost of a new cruiser.

#### **2010 Budget Presentation/Highway Department**

**Present:** Alex Cote, Highway Agent

Chairman Barry addressed the decrease in the budget. Vice Chairman Robertson asked if the road reconstruction work was to be presented as warrant article. Alex Cote replied that he did not, as it was included in budget.

Selectman Hooker addressed the winter plowing and that it seems like the contracts were those of last year. Mr. Cote confirmed that they were, as when he started to put his budget together, the contracts for this year had not gone out yet. He further stated that he now has the contracts ready for signature and the rates are the same (new ones were not available tonight).

Selectman Hooker questioned having a fuel surcharge if the fuel is lower than it was last year. Mr. Cote agreed, but it was agreed about five years ago to pay that to keep in line with the way the State pays. He stated that when the original fuel charge was figured it was at \$2.00 a gallon and the fuel charge that the Board allowed was \$5.00. He anticipates fuel prices to be up around \$3.00, plus a gallon to a contractor, so he assumed the Board would not to change the numbers.

Selectman Hooker inquired how the hours for part-time and over-time were figured. Mr. Cote replied that he figured worse case scenario, if it is not used then its money available in the budget. He confirmed that over-time hours for our employees was a figure he inherited from Joe Stone that has worked every year since, except for the year of the flood.

Mr. Cote confirmed that the rates for Mr. DeVarney is for if he needs heavy equipment operator and he has based those numbers on the State rate; \$11.00 for a truck driver and \$10.00 is for a Laborer.

Selectman Hooker referred to vehicle repairs budget increase. Mr. Cote confirmed that there are road grader repairs and backhoe repairs, which he has two quotes for these repairs. Selectman Hooker asked about the miscellaneous line and if it should be in the town budget instead of the highway budget for the fruit baskets and flowers. Mr. Cote is fine with whatever the Board would like to do for these types of expenses.

MOTION: Vice Chairman Robertson made a motion to accept the highway as presented at this time. It was seconded by Selectman Reagan.

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

Selectman O'Neal asked Alex Cote if the Cate Road culvert replacement was a result of the move. Mr. Cote replied that it was partially related. He stated that when he went out to mark the culverts, he found one that was bad. He made sure it was double plated and Public Services of New Hampshire will come in sometime in October to grind it and do the work that they promised to do.

#### **John and Veronica Gianferri/Possible Update from Chief Greeley and Highway Agent, Alex Cote**

Selectman O'Neal asked Mr. Cote for an update on the request for signage for Mountain Road. Alex Cote replied that he was told that a traffic survey must be done before it could be posted at a lower speed rate. Chief Greeley added that according to the law, he will have to do a traffic survey in order to have a hearing. He confirmed that the yellow warning signs of a sharp curve are fine to post, but to change the speed a survey is necessary first.

Vice Chairman Robertson requested a recommendation from Chief Greeley that he is agreeable on 25 miles per hour being an appropriate speed and what should be posted. Chairman Barry would like to lower the speed on that sharp curve if possible.

Mr. Cote suggested putting diesel fuel back out for bids, especially since we are no longer buying gas. Chairman Barry agreed it would be in the Town's best interest to do so.

Mr. Cote informed the Board that Lamprey River Water Shed contacted him to improve the quality in the Lamprey River. They would like to create a low salt area and anything that may run into the Lamprey River. He mentioned that he checked into signs to be posted stating "low salt area" and will need about ten signs, which would be about \$450.00. He stated that the money is in the signed budget and feels its worth looking into for in the future. Vice Chairman Robertson agrees in taking a proactive approach. Chairman Barry urged Mr. Cote to go ahead and give it a try.

Mr. Cote said that the no parking signs for the fairgrounds are very worn and he will not replace them all this year, but if the budget allows for it at end of year he will probably order ten more parking signs. He further stated that it is a town ordinance for us to post from Middle Road to Nault's field and up towards the Rollins property, on the state roads, during the fair. The Board agrees he should handle this.

Mr. Cote stated that he has enough money in the paving line to cover the deficits and shortfalls in the repair line due to the repair of the backhoe. He also feels that an additional \$9,000.00 out of the budget can be cut by doing the overlay on Mountain Road when the pipe comes in October. Chairman Barry advised to hold off on spending any surpluses at this time.

## Review of Correspondence

### **E-Mail/Jerry Coogan, Planner/Re: N. H. Route 107/43 and Church St. Intersection**

Selectman Hooker referred to the Department of Transportation's (DOT) traffic calming. Alex Cote replied that he hasn't seen anything from DOT other than what he received in an email from Jerry Coogan regarding a moveable planter and barrels. He stated that he would be opposed to any type of moveable planter on the side of road as it would be an unsafe potential hazard for plowing or a possible accident at night.

Alex Cote requested a work truck for the Highway Department. Chairman Barry asked if he could contract out a truck instead. Mr. Cote stated that something needs to be done and he would like highway equipment put into the budget. Chairman Barry requested that he get a quote for the full amount to be put into the budget to present to the Board.

### **Follow-up/Chris Stillbach, Re: Brown Road**

Chairman Barry confirmed that the project on Brown Road is complete and inspected.

### **E-Mail/Mike Martell/Avitar Associates of N. E. 2010 Contract**

Chairman Barry stated that there was some confusion on the Department of Revenue Administration's (DRA) answer to the Board. He believes it is just a typo of some kind and that the contract has been approved by the DRA.

MOTION: Vice Chairman Robertson made a motion to sign the contract and accept the terms. It was seconded by Selectman O'Neal.

VOTE: Chairman Barry called for the Vote.

Selectman O'Neal suggested that the full update option should be investigated. Cindy Heon suggested that it may be premature to sign this evening, due to the unknowns.

MOTION WITHDRAWN:

Vice Chairman Robertson withdrew his motion. The second to the motion was withdrawn by Selectman O'Neal.

### **Ericka Heilman/Emergency Notification System**

Vice Chairman Robertson referred to an emergency notification that Erica Heilman had come across. It is a service where people in the community could sign up voluntarily to be communicated through email, cell phone or regular phone by a centralized website for emergency bulletins. He added that a community newsletter can be sent out. The Board asked Selectman Hooker to look into this and see how it will affect our Town.

### **Southern New Hampshire Planning Commission (SNHPC)/Appointments**

Chairman Barry referred Gile Bye's resignation and the interest of a Southern New Hampshire Planning Commission volunteer. He informed the Board that Jim Deely and Shane Carter have volunteered. Cindy Heon stated that the Commission only needed one, but there was another committee that Southern New Hampshire was interested in placing someone on an exploratory committee that one would like to do. Vice Chairman Robertson suggested that they appoint Jim Deely to the Southern New Hampshire Planning Commission that is open and ask Shane Carter if he would be interested in the other.

MOTION: Vice Chairman Robertson made a motion to appoint Jim Deely. It was seconded by Selectman Hooker.

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

## Review of Outstanding Correspondence:

### **Memo/Denny Greig-Welfare Director/Girl Scout Gold Project-Update**

#### **Request for Waiver/G. B. White Building Yard Sale/Inside Storage**

Chairman Barry referred to a request for the Boy Scouts to use the George B. White building on October 9<sup>th</sup> and 10<sup>th</sup> and would like the fee to be waived. They would like to store the items in the building the night before (Friday night) the Town-wide Yard Sale.

MOTION: Selectman O'Neal made a motion to waive the fee for the Boy Scouts. It was seconded by Vice Chairman Robertson.

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

#### **Request for Waiver/Contra Dance Series/Town Hall**

Chairman Barry referred to the request of Mrs. Mason to use the Town Hall for Contra Dances beginning November 7<sup>th</sup> and would like the \$35.00 cleaning fee deposit to be waived since they always clean up nicely. Selectman Hooker expressed concern that if the cleaning fee is waived for them, then others will expect it to be waived as well. He asked if the rental fee was already waived for them and the cleaning fee is only a deposit and is not cashed, why it would be necessary to waive it.

#### **Town Administrator Report**

Cindy Heon- Town Administrator informed the Board that the items left over from this week and those on for next week's agenda would be Building Inspector, Welfare, Health, Emergency Management, Fire Department, Forest Fires, Water Holes, Rescue, Animal Control and Highway Safety. She reminded the Board that when putting items forward, on the warrant, for publication, a numeric vote tally will show for the Board of Selectmen's vote on each article. She referenced to various reports and the office staff did; gas logs, diesel fuel, phones and electric and this information is tracked back to the billing showing how the numbers are reflected in the budget. She added that if there are any changes or adjustments along the way they will let the Board know.

#### **Citizen's Comments:**

Harriet Cady inquired about the Recreation Department getting another section of the George B. White Building and asked when they had their meeting to go over this. Selectman O'Neal confirmed that the Board requested the Recreation Department to come back with upgrade costs before approval. Chairman Barry told Mrs. Cady that he was informed by the Recreation Department that their meeting was properly posted. Mrs. Cady claims it was not posted and said the director told her the meeting had been cancelled. She further stated that posting should be made at the post office as required.

Chairman Barry confirmed that he was informed that their last meeting was posted, minuted and held legally. Mrs. Cady also said they do not have the members on it to have a full quorum and it can be confirmed on their minutes. She stated that there is a consent decree sitting in Rockingham Superior Court. She claims she can file a petition in that court and it will come back on the Selectman. Chairman Barry confirmed that it is the practice of the Board to abide by the Right to Know Law. Mrs. Cady claims that the Parks & Recreation Department and the Conservation Commission has not been abiding by these laws.

Mrs. Cady addressed the \$122,645.00 that had been sent as reimbursement of the 2007 floods. She stated that as of December 2008, according to those figures the Board received \$57,191.00 and questioned if the Town had received more money. Chairman Barry replied that they received the State's 12.5%; federal government gave the Town 75%, the Town provided 12.5% and the State provided 12.5%. Cindy Heon will look at the highway budget figures to get back to her on that.

Peter Menard wanted to clarify if the movement to the full-time police position would affect the pay raises the Chief was proposing, as well as the tazers. Chairman Barry replied that including the tazers was discussed, but there was no discussion on the raises as of yet.

#### **Unfinished Business/Other Business/New Business:**

None

#### **Adjournment:**

8:20pm Selectman Reagan made a motion to adjourn. Selectman Hooker seconded the motion. Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The October 5, 2009 meeting is adjourned.