

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
December 28, 2009
MINUTES**

Call to Order:

5:30pm Chairman of the Board of Selectmen, Stephen R. Barry called the Meeting to Order

Pledge of Allegiance to the Flag:

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

Roll Call

Present: Stephen R. Barry~ Chairman, R. Andrew Robertson~ Vice Chairman, Selectmen John Reagan and Alan E. O'Neal

Absent: Selectman Walter C. Hooker

Also Present: Cindy Heon~ Town Administrator and Nese Farrell~ Recording Secretary

Citizen's Comments:

Resident, Maureen Mann asked if when doing information booklets for the warrant articles to include a sentence for each warrant that would state the cost amount, so that it is easier for her to write her articles.

Harriet Cady asked if they will be doing the contract for the revaluation tonight and asked how would they encumber that money without a contract, as she thought that the contract amount for next year would reduce the budget in that amount. Chairman Barry said they would not cover it tonight and that it will be in the budget for next year. He added that they would probably do it prior to the Municipal Budget Committee (MBC) public hearing

Employee Longevity Awards:

Chairman Barry acknowledged an award for five years of service to the Town of Deerfield for Police Officer Doug Trotter, Highway Department employee, Matthew Kimball for five years of dedicated service to the Town of Deerfield and to Lenny Mandigo for ten years of service to the Town of Deerfield. He announced and presented Mark Tibbetts an award for having fifteen years of service to the Town of Deerfield in the Government Building Department (as well as for many capacities in different departments).

Regular Business

Review of Outstanding Minutes/ December 14, 2009

MOTION: Vice Chairman Robertson moved to accept the Minutes as written.

SECONDED: Selectman Reagan seconded the Motion.

Chairman Barry made note that Selectman Hooker mentioned that the numbers he read off the bids were not correct, however, when they deal with the contract they will talk about the actual numbers that were buried inside the proposals.

VOTE: Chairman Barry took a Vote to approve the December 14, 2009 Minutes as written.

It was a Unanimous Vote in Favor.

Public Hearing/Candia Road/One-Way/December 14, 2009

MOTION: Vice Chairman Robertson moved to accept the Minutes as written.

SECONDED: Selectman Reagan seconded the Motion.

VOTE: Chairman Barry took a Vote to approve the Public Hearing Minutes/Candia Road/One-Way/December 14, 2009 Minutes as written.

It was a Unanimous Vote in Favor.

Vouchers

Payroll Manifest/ \$47,776.72

MOTION: Vice Chairman Robertson moved to approve the Payroll Manifest in the amount of \$47,776.72.

SECONDED: Selectman Reagan seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Accounts Payable Manifests/ \$281,438.03

\$50,052.58

\$231,385.45 (of which \$200,000.00 is for the School)

Voided Checks: \$228.26

Total Manifest \$281,438.03

MOTION: Vice Chairman Robertson moved to approve the Accounts Payable Manifests in the amount of \$281,438.03.

SECONDED: Selectman Reagan seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Section-105 Health Reimbursement Agreement

Vice Chairman Robertson noted that they would sign on the assumption that it has been reviewed by the Town's Human Resource person. Chairman Barry confirmed that it had been. The Health Reimbursement Agreement was signed by the present Board of Selectmen (BOS).

Signatures

Luke Weigle/Title Examiner/Invoice in the amount of \$86.88

For Recording Release Deeds for Lamy and Farley (Alvah Chase Forest).

Chairman Barry confirmed that Mr. Weigle recorded the deed changes and has submitted a bill for \$86.88, of which \$50.00 is an abstractive fee. He does not feel they should pay him for an abstract fee, but should be paying for the actual recording fees that amount to \$36.88. The other Board members agreed.

MOTION: Selectman Reagan moved to pay recording fees only in the amount of \$36.88.

SECONDED: Vice Chairman Robertson seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

2009 Encumbrances for 2010

Planning Board \$420 Line Item #01.4191.01.390

Keach-Nordstrom Invoice for the assistance for the update of the Town's subdivision regulations

Chairman Barry confirmed that Steve Keach, PE of Keach-Nordstrom Associates, with the assistance of the Planning Consultant, Jerry Coogan, will update the Town's subdivision regulations. Mr. Coogan worked on the process and the Planning Board procedure components, and Mr. Keach assisted with the design process and engineering requirements. The Planning Board will be reviewing the draft and subdivision regulations in 2009 and into the first quarter of 2010. Vice Chairman Robertson confirmed that this was the intent of this money, which is not completed yet in this year.

MOTION: Vice Chairman Robertson moved to fund their refunds with the purpose of completion.

SECONDED: Selectman O'Neal seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Planning Board \$1,020 Line Item #01.4191.01.740

Surplus Office- Equipment/Invoice

Chairman Barry confirmed that the Planning Board desires to reserve 2009 appropriated funds for the acquisition necessary (filing cabinets, maps, folders and other items) in order to organize the Planning Board's group maps, plans, files, minutes and other related items. Retention of maintenance for the Planning Board files is a State requirement.

MOTION: Selectman O'Neal moved the encumbrance for the Planning Board.

SECONDED: Selectman Reagan seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Parks & Recreation \$1,151.61 Line Item #01.4520.01.433

Estimate/Averell - Landscaping for Bicentennial Field

Chairman Barry confirmed that the encumbrance is for the trench work at Bicentennial Field with the balance of \$263.39 to be paid through the Revolving Account.

MOTION: Vice Chairman Robertson moved to grant the encumbrance.
SECONDED: Selectman O'Neal seconded the Motion.

Selectman O'Neal confirmed that it is for the work they were hoping to get down before the snowplowing and it looks like the quote came in a little higher than the line, so the rest will come from the Revolving Account.

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

Rescue Squad \$1,298.95 Line Item #01.4220.02.811
Quote for Instructors Starter Kits

Chairman Barry confirmed that they have been ordered already, but was not shipped in time.

MOTION: Vice Chairman Robertson moved to grant the request.
SECONDED: Selectman O'Neal seconded the Motion.
VOTE: Chairman Barry called for the Vote.
It was a Unanimous Vote in Favor.

Philbrick James Library \$20,000.00
Warrant Article #9 Insulating & weather stripping Philbrick James Library
Energy Audit Recommendation

Chairman Barry confirmed that they have encumbered \$20,000.00 for the purpose of insulating, caulking and weather stripping Philbrick James Library (recommended by the BOS and the MBC).

MOTION: Selectman Reagan moved to grant the encumbrance.
SECONDED: Vice Chairman Robertson seconded the Motion.
VOTE: Chairman Barry called for the Vote.
It was a Unanimous Vote in Favor.

Transfer Station \$7,000 Warrant Article #16/ Funding to add to this year's Warrant Article for a Hazardous Waste Day
Offsetting grant money will be applied for.

Chairman Barry confirmed that they hope to get additional funds to possibly have two Hazardous Waste days next year.

MOTION: Selectman O'Neal moved to grant the additional funds.
SECONDED: Vice Chairman Robertson seconded the Motion.
VOTE: Chairman Barry called for the Vote.
It was a Unanimous Vote in Favor.

CTAP Round II Application~ Transportation/Trail Plan
Grant Application from the Planning Board

Chairman Barry confirmed this request from Jerry Coogan for a CTAP grant in the amount of \$10,000.00; requesting the Planning Board to prepare a Transportation Trail Plan.

MOTION: Selectman O'Neal moved to approve the grant application.
SECONDED: Vice Chairman Robertson seconded the Motion.
VOTE: Chairman Barry called for the Vote.
It was a Unanimous Vote in Favor.

Notice of Abatement Granted for Donald Wyman & Delores Wyman

Map 416 Lot 004 Sub Lot 001

Reason: Interior inspection performed and data corrections entered; it was revised to \$179,700.00.

MOTION: Selectman O'Neal moved to approve the Abatement as recommended.
SECONDED: Vice Chairman Robertson seconded the Motion.

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

Notice of Abatement Granted for Maureen Ann McGrory

Map 413 Lot 49

Reason: Interior inspection performed and data corrections entered; an abatement amount of \$654.00 for the 2009 property tax on an old assessment that has been revised to \$388,000.00.

MOTION: Vice Chairman Robertson moved to approve the Abatement.

SECONDED: Selectman Reagan seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Notice of Abatement for 89 Concord St, LLC

\$513.00 for 2009 Property Taxes on an old assessment that has been revised to \$344,400.00.

MOTION: Vice Chairman Robertson moved to approve the Abatement.

SECONDED: Selectman Reagan seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Notice of Abatement Denial for James & Susan How

Map 208 Lot 095

Reason: Landowner feels property is over assessed due to foreclosure sale of \$45,000. After assessor reviewed the property, it has been determined that it is being assessed consistently and equitably.

MOTION: Selectman Reagan moved to accept the recommendation of assessor.

SECONDED: Vice Chairman Robertson seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Notice of Abatement Denial for Charles & Loretta Monteverdi

Map 207 Lot 069

Reason: Discovery of acreage change from .82 to .52 was discovered after April 1, 2009.

MOTION: Selectman O'Neal moved to accept the Abatement Denial.

SECONDED: Vice Chairman Robertson seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Review of Correspondence

Reports from Chief of Police Michael Greeley & Alex Cote Highway Agent.

RE: George Treantafel/ Road Conditions-School Bus Accident due to icy conditions on December 14, 2009

Chairman Barry confirmed that the response from the Chief of Police was that he didn't feel it was the responsibility of the Deerfield Police Department to notify the Highway Department of unsafe road conditions; however, they would do so if they noticed a problem on the roads while they were out on the roads. Selectman O'Neal agreed, but is still looking for a procedure on how the Road Agent will be called out or how it should be done.

Vice Chairman Robertson said they can ask them to build a procedure, but it comes to the judgment call on the part of the Highway Agent. He feels the arrangement they've had has worked pretty well, but can express to the Police Chief that they would like to see them make it more of a policy rather than a courtesy (as this is not usual protocol for Deerfield).

Chairman Barry confirmed that they will respond to Mr. Treantafel's inquiry of the process the Town has in place, after they've spoken to the Road Agent on the exact procedure, as well as confirming the Police Department's involvement. Selectman Reagan added that the policy is that the Road Agent determines whether to activate the snow emergency call and that it is also incumbent on any Town employee to notify the Road Agent if they are on the road and find a slippery condition. He feels that the Chief's point was that a policy cannot be made that the Police Department must notify the Road Agent, because if they are not available or witness the conditions on the roads they cannot be held responsible (cannot just shift the liability to the Police Department).

Vice Chairman Robertson noted that the police are the Town's public safety officers and that public safety includes the roads. The Board feels that it is encumbering upon them to notify the Highway Agent of conditions should they become aware of any. Selectman Reagan suggested the Board send communications to the Police, Fire & Rescue that if they come upon a condition that they should notify the Road Agent.

Selectman O'Neal thinks the State has roaming people and asked if there any tie in from when the State is called out to respond to Rt-107 or Rt-43. Chairman Barry thinks they are completely excluded. He requested communications be sent out to the department heads who should make notice of unsafe conditions on the town roads, that they should communicate with the Highway Agent.

Memo/Building Inspector

Request to purchase Code Books/ Request to spend \$350.00. Litigation caused to overage (originally budgeted at \$500.00). Will cover over the bottom line.

MOTION: Selectman O'Neal moved to allow the additional \$350.00.
There was no second or vote.

Averell Landscaping & Design, LLC

Estimate \$1,075.00

The only quote received for the work at Bicentennial Field to trench along the baseball field, backstop to short right field and install insulation of drainage pipe fittings (both of fabric and crushed stone). The total was \$1,415.00.

Chairman Barry confirmed they encumbered the money, but this is for bid submission. Selectman O'Neal stated that if it falls within the certain amount budgeted he would agree.

No action was taken.

E-Mail/December 14th Minutes/ Correction

From: Selectman Walter Hooker to add in all of the amounts pulled off the Requests for Proposals for the Revaluation.

Chairman Barry stated that when they deal with the situation on the next meeting, they will bring out the numbers all together.

Live Broadcast/ Steve Jamele/E-Mail

Information that an encoder would need to be purchased for \$2,000.00 to play CD's, with Town events, over the return line.

Chairman Barry confirmed that the \$2,000.00 encoder was already included in the \$14,000.00 they have in the warrant article.

E-Mail/ Joseph Piro

Follow-up from Fire Chief/Mark Tibbetts

Concerns about the Fire Cistern and the easement at 98 Middle Road

Chairman Barry stated that the correspondence was regarding the fire cistern and that Mr. Tibbetts has put up a new sign. They are going to have to pull up all of the fire water hole easements to make sure they are correct. They hope to follow-up with these plans for the gate in the spring, but in the meantime they have some concerns over the languages and easements for the fire holes and water cisterns.

Library Trustees/Response to the Request for Information on the Wage Scale Adjustments for the Librarian

Library Trustee, Maureen Mann submitted information from surrounding areas on their wage scales for experienced librarians. Chairman Barry confirmed that the BOS did not say they were not going to give raises for 2010 or ask for information like this until way in the middle of the budget process.

Mrs. Mann said that when they initially did the budget, they gave her the raise and when the Public Hearing here they said nothing. However, a couple meetings later, there was a blanket statement made that there would be no increases. There were wage adjustments that came up for other people, at which point they felt they would like to have this information available to them, as they feel their librarian is way behind; had they known there would be no raises, they would have asked for the wage adjustment. She noted that they understand the Budget is set, but they would like this looked into further.

Vice Chairman Robertson asked what the amount was that the MBC added. Mr. Mann confirmed it was \$1,019.00. Selectman O'Neal said the MBC Budget numbers are the ones that could be presented, which includes it. Vice Chairman Robertson said he doesn't mind taking action if the Board wants to, as he does not think there will be hesitation in passing it. Mrs. Mann stated that the Trustees are aware of their position that it is the Selectmen's job to set salaries, the Trustees just felt it was important to start gathering the information, as they don't want this to be ignored for another year.

Chairman Barry suggested bringing this request up again after the March meeting (after the vote is taken). Chairman Robertson doesn't think there is going to be a problem on the \$1,019.00 going forward. Selectman Reagan stated it is already there. Chairman Barry said the librarian is still not within the parameters of the wage scale for experienced librarians in the information that was presented. The Board agreed to bring it up again at the Town Meeting in March.

Unfinished Business

Following-Up 2010 Warrant Article Revolving Fund

Chairman Barry confirmed that the DRA, the Lawyers and the Town Attorney have reviewed it and he asked if the language stands ok. The present Selectmen are comfortable with it.

MOTION: Selectman Reagan moved to approve the warrant article as written.

SECONDED: Vice Chairman Robertson seconded the Motion.

VOTE: Chairman Barry called for the Vote.

It was a Unanimous Vote in Favor.

Town Administrator's Report:

Chairman Barry reviewed the Town Administrator's Report for the week of December 28, 2009 and asked if the Board wanted to proceed the same way this year with regards to the Selectmen's Report. The present Board members agreed.

Chairman Barry acknowledged the 2010 Board of Selectmen's Calendar for everyone to review. He suggested the Board go back to the every two weeks schedule. Selectman O'Neal said they seemed to work fine, but it would depend on the impact on the staff. Chairman Barry said the Town Administrator stated that doing it every two weeks actually makes it easier on the staff, providing the option to change the schedule if they run into an overbooked schedule during particular months.

RE: Mrs. Cady's comment on Refund to Mortgagees'

Chairman Barry confirmed that the Town Clerk Tax Collector, Kevin Barry is researching the overpayments resulting in refunds to the mortgage companies and how they affect the taxpayer's mortgage; once the research is complete, he will forward a report to the Board.

Chairman Barry stated that the staff has prepared to tax impact sheets for the proposed warrant articles. Selectman O'Neal noted that the Live Broad Cast was missing. Chairman Barry stated that it is the Board's wish that these be included on the warrant articles. Selectman Reagan thought they were told they couldn't do it. Town Administrator, Cindy Heon said it can be done for informational purposes, but it cannot be on the warrant.

2010 Updated Worksheet

Chairman Barry confirmed that the expense column has been updated on the 2010 Worksheet. He asked if the expenditures approved this evening would be included in the bottom line. Mrs. Heon replied that they are included. Chairman Barry stated that at this time, year to date, on a \$3,323,520.00 Budget, they have expended \$2,962,455.00; leaving just over ten percent left.

Mrs. Heon added that by next week they are going to have a good idea of where they will end the year in term of expenses, by seeing what is coming in for the winter storms and also looking ahead to what may be paid out.

Chairman Barry stated that Cindy Kelley was approached by an individual last week who would like to apply for the part-time position for an assistant at the Transfer Station. He said Ms. Kelley contacted Lenny and advised him that the position would not be established until the vote at the Town Meeting, following that there would be a hiring process. She informed the individual that the Town would be happy to keep the application on file for future reference.

New Business:

None

Other Business:

Chairman Barry said he received a complaint from the employees at the transfer station stating they are upset that a Selectman has come down there to tell them what to do. He then explained to Kyle Mandigo that his direct supervisor is Lenny Mandingo and that Lenny's direct supervisor is the Town Administrator. He said any orders or requests to have something done should be forwarded through the Town Administrator from the Board of Selectmen. Selectman Reagan stated the matter involved a safety issue witnessed, at that time, on site. Chairman Barry said that matters should go to Lenny immediately and if unsatisfied, it should be brought back to the Board of Selectmen (who is the one that tells the Transfer Station employees how to do something). He requested that in the future all Board members are to bring any problems they have to the Board and the Board will issue a directive through the Town Administrator to the employee.

Citizen's Comments:

Joe Stone referred to the jurisdiction on the roads and he remembers that it was always the Road Agent's call, who would take advantage of several contacts (Transportation Company, the Police Department, the State Highway) and the Road Agent would even go out at any hour or making phone calls. To his knowledge, this was a procedure used for years and the Road Agent made the final call.

Adjourned:

6:23pm

MOTION: Vice Chairman Robertson made a Motion to adjourn.

SECONDED: Selectman Reagan seconded the Motion.

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

The December 28, 2009 meeting is adjourned.

*The Minutes were Recorded, Transcribed and Respectfully Submitted by Nese Farrell, Recording Secretary.
Pending Approval by the Board of Selectmen*