

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
January 11, 2010
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; John Reagan,
Walter C. Hooker and Alan O'Neal, Selectmen

Also Present: Cynthia Heon, Town Administrator

Pledge of Allegiance to the Flag:

Chairman Barry asked all to rise for the pledge of allegiance to the Flag.

Citizen's Comments:

- Kathy Berglund/Library Trustee/Furnace Repairs

Mrs. Berglund advised the Selectmen that over the weekend the furnace malfunctioned giving a signal it is on its last legs. There are no funds in the budget to remedy the situation. Three hours ago, Mrs. Berglund was made aware by Fran Menard and Jim Deely there were grant funds available under the N. H. Recovery Federal Grant Program. The program encompasses efforts to make buildings more energy efficient, upgrade lighting, energy audits, waste reduction and other energy efficient projects. Jim Deely took the information to Deerfield Community School and Fran Menard considered projects for the Town Hall. An intent to file an application will be submitted. The Library Trustees are hoping Jim Deely will assume the duties of project manager for the furnace project at the Philbrick James Library.

Kathy Berglund deferred to Fire Chief, Mark Tibbetts, to provide a status report on the Library furnace. Mr. Tibbetts met with Jim Logan and requested a quote on the furnace replacement. The current furnace was built somewhere in the late '50's or early '60's and is now obsolete. The new furnace would be fueled with either propane or oil and it is estimated not to cost more than \$4,000.

The Selectmen discussed adding \$4,000 either to the Library Budget or the Government Buildings Budget, Maintenance and Repair Line and noted the grant, if acquired, would be offsetting revenue.

MOTION: Selectman Alan O'Neal made a motion to add \$4,000 to the Repair and Maintenance Line in the Library Budget and bring this amount forward to the Municipal Budget Committee. Seconded by Vice Chairman R. Andrew Robertson.

Discussion: Kathy Berglund remarked that the Library Trustees encumbered the insulation money and were ready to go out to bid. A small amount of work was accomplished last year, approximately \$100, but the remainder needs to be completed. Selectman O'Neal mentioned that project was previously approved through a Warrant Article and the Trustees could continue forward to the bid process. It is the other spending that should not occur.

Selectman O'Neal asked Chief Tibbetts if there was a set schedule to clean furnaces. Chief Tibbetts replied yes, right after the winter months all furnaces are cleaned.

When it was mentioned the grant would be at no cost to the Town, Chairman Barry suggested the grant writing begin.

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

Lakes Region Public Access (LRPA):

Present: Denise Beauchesne, Executive Director

To begin, Ms. Beauchesne wanted to hear the Selectmen's questions. Chairman Barry said the primary reason for the Selectmen asking her to attend the meeting was because the Selectmen were not clear on what services LRPA provided.

Ms. Beauchesne explained LRPA runs three channels on Metrocast; 24 (Bulletin Board), 25 (Education) and 26 (Government Programming). Deerfield's Meetings are broadcast on Channel 26. Many towns use all channels and offer a variety of programming but not all. Ms. Beauchesne would want to develop, with Deerfield, what programming they want going forward and perhaps include the school.

Within LRPA's geographic region, there are thirteen or fourteen communities of which only nine support the work LRPA does. There is a lot LRPA can do to broadcast across the State as long as it falls within the policies, procedures and rules. Currently there is diversity, an example being Meredith runs workshops and also a magic show.

The goal, as viewed by Ms. Beauchesne, is to sit with a representative and look at what additional things can be done for the community. Deerfield is growing by airing such programming as the Municipal Budget Committee Meetings. While she didn't have statistics to indicate how many people watched the programming, she does know she often hears people talking about what they have seen on the channels.

If equipment is needed such as cameras or switches, Metrocast has limited grant money available for equipment purchases. More equipment is a purpose allowed under the Metrocast grants. Before this evening, Ms. Beauchesne did not know where Deerfield was and pointed out programming helps people learn about the community.

Chairman Barry asked Steve Jamele, Deerfield's IT Administrator, about the live return feed and equipment. Mr. Jamele explained the need for a landscape box, receiver, transmitter and encoder at an approximate cost of \$3,000 to \$4,000. It was thought this would be a good use of grant funds and develop Deerfield's broadcasting capabilities.

To run the LRPA Channels, according to Ms. Beauchesne, is a big job due to the amount of programming which is why there is a Board of Directors. A while ago letters were mailed to all communities urging the towns to send a representative to the Board Meetings that are held once a month. This provides a constant line of communication and the communities become more involved with LRPA.

Chairman Barry questioned posting notices on Channel 24. Ms. Beauchesne explained as long as the notices are regarding not-for-profit organizations, even such things as church suppers, they are permissible. Deerfield has the potential for broadening what is posted, in particular, school activities.

Selectman Hooker wanted to know if there was any statistical analysis available relative to Metrocast subscribers and how Deerfield compared to everyone else. Ms. Beauchesne stated that if subscribers increase it is reflected in what LRPA charges on a yearly basis. As to a comparison, she found Tilton to be the most like Deerfield. Vice Chairman Robertson believed Deerfield to have a lesser number of subscribers than Tilton.

The contract that LRPA previously requested the Selectmen sign was discussed. It was noted the invoice for the current year was paid. The time period was clarified by Ms. Beauchesne who said pricing is reviewed beginning in October and typically voted by November of each year with the contract running July 1st to June 30th.

Returning to the topic of Deerfield's live-feed line, Selectman Reagan asked how Lakes Region Public Access (LRPA) would be involved once the encoder was purchased. Selectman O'Neal also questioned whether or not LRPA was something Deerfield had to have or couldn't the Town just broadcast programs by using CD's.

Ms. Beauchesne said that if the Town circumvents LRPA's system, they will not run anything on their channels and assistance from Metrocast, to run programs, may be limited if at all. To Ms. Beauchesne, it behooved the Town of Deerfield to stay with LRPA.

To the point of Deerfield not having representation on the LRPA Board, Ms. Beauchesne would welcome someone from the community and offered a tour of the facility to anyone who was interested.

Selectman O'Neal suggested uploading files from zip drives to prevent DVD's from getting damaged. Ms. Beauchesne said it was something LRPA was working on.

Chairman Barry asked IT Administrator, Steve Jamele to work with LRPA to research grant options.

Police Department:

Present: Chief of Police, Michael Greeley

- Hiring Process

Chief Greeley reported beginning with twenty applicants, and through background checks and preliminary review, the number is down to four candidates. The physical agility tests are scheduled for the four individuals. By the end of January to mid-February, the field should be narrowed to two.

Chairman Barry suggested Chief Greeley not offer positions to anyone until after the Deliberative Session when the Board has a clearer picture of what the future holds in terms of funding and then gives a go or no go. Selectman O'Neal agreed with Chairman Barry.

Selectman Hooker was interested in how the field was narrowed from twenty to four. Chief Greeley looked for full time, certified candidates and some did not fit those criteria. Selectman Hooker asked, of the four, what was the range of experience. Chief Greeley replied experience ranged from two to four years.

- Statistical Report

There were no comments or questions on the Statistical Report.

- Decals for the SUV

Chief Greeley advised the Selectmen half of the decals were on the SUV and the remainder will be in place by the end of the week. Selectman Hooker questioned who was putting the decals on the vehicle to which Chief Greeley replied someone from Northwood.

- Police Details.

The question arose as to whether or not all Police Details were paid in full for 2009. The reply was yes, except for Fairpoint.

- Activity Comparison 2008 to 2009

How the activity of 2009 compared to 2008 was requested. Chief Greeley reported thefts were up but stopped when people were caught and other areas up were; calls for service, warrants due to lengthy investigations, accidents and juvenile complaints. It was noted that court days went down which Chief Greeley explained as due to the courts having less days available to hear cases. Overall this year, Chief Greeley believed that Deerfield's Officers did an outstanding job keeping the Town protected.

Regular Business:

1. Review of Outstanding Minutes

MOTION: Vice Chairman R. Andrew Robertson made a motion to approve the Minutes of January 4, 2010 as written. Seconded by Selectman Alan O'Neal.

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

2. Vouchers

Payroll Manifest/\$51,980.94

MOTION: Vice Chairman R. Andrew Robertson made a motion to approve the Payroll Manifest in the amount of \$51,988. Seconded by Selectman John Reagan.

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

Accounts Payable Manifest/\$30,539.44

MOTION: Vice Chairman R. Andrew Roberson made a motion to approve the Accounts Payable Manifest in the amount of \$30,539. Seconded by Selectman John Reagan.

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

Accounts Payable Manifest/\$21,531.94

MOTION: Vice Chairman R. Andrew Roberson made a motion to approve the Accounts Payable Manifest in the amount of \$21,531. Seconded by Selectman John Reagan.

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

3. Signatures

A. Toshiba Business Solutions/Copier Agreement

MOTION: Selectman Alan O'Neal made a motion the Board approve the Toshiba Maintenance Agreement for the copier and that the Chairman of the Board sign the agreement. Seconded by Vice Chairman R. Andrew Robertson.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. Chairman Barry signed the Toshiba Maintenance Agreement.

B. Lakes Region Public Access (LRPA)/Contract

The contract which was previously discussed will return to the Board in May 2010 for further review.

C. Intent to Cut

Map 419 Lot 008/Richard Salter/South Road

D. Tax Warrant/Land Use Change Tax/\$6,000

Map 424 Lot 023 Sub Lot 001/Edward Temple/Brown Road

E. Personnel Action Request Forms/Camp Counselors (3)/Parks and Recreation Department

4. Review of Correspondence

A. Letter/Mr. Levesque/Currier Road

Mr. Levesque, present at this time, was recognized by Chairman Barry. Mr. Levesque came to the Selectmen with concerns that his mailbox, located on Currier Road, was damaged by a plow truck and that it was not the first time. There are reports on file from 2008 of a similar incident.

Police Chief, Michael Greeley and Highway Agent, Alex Cote were made aware of Mr. Levesque's complaint. Mr. Cote forwarded an e-mail to the Selectmen explaining it was not the intention of the Highway Department to hit the mailbox and in fact, tire tracks could be seen, going in and out, around obstacles in an effort to avoid mailboxes. According to Mr. Cote, three individuals plowed that road; Matt

Kimball, Paul Kimball and Keith Rollins. According to the Town's Mailbox Policy, if a mailbox is placed in the Town right-of-way, it is at risk and the Town assumes no responsibility.

Chief Greeley spoke to a Police Officer, in Candia, who was to have talked to Mr. Levesque tonight. Chief Greeley believed the mailbox to be as far back as it can go which led him to believe the location of the mailbox might have been misjudged. Mr. Levesque did not see the need to hit the mailbox and thought the incident should be treated as if it were a motor vehicle accident.

The Town's right-of-way was discussed. Chairman Barry believed the right-of-way to consist of nine or ten feet. With that information considered, Mr. Levesque spoke to his 33 years of experience plowing for the State and the State's policy of, if a mailbox was hit, it was replaced. He continued pointing out the difference between hitting a mailbox and moving snow back, which sometimes knocks over a mailbox. This being the third time the mailbox was hit Mr. Levesque thought it could have been avoided. Vice Chairman Robertson commented that the drivers do everything they can to avoid the mailboxes or they would not be out there.

When Mr. Levesque spoke about neighbor's mailboxes not being hit, just his, Chairman Barry said the Board could see why Mr. Levesque was frustrated because it was also frustrating to the Town but the Board has attempted to get all the information from all the parties involved.

Mr. Levesque mentioned, in the past, he was assured by the Highway Agent that care would be given to avoid such an incident in the future. The Board referred to the Mailbox Policy that the Town had and noted the Town does not reimburse for mailboxes. Mr. Levesque pointed out the Town of Candia does reimburse residents. The Board responded Deerfield's policy is not to replace a mailbox which meant Mr. Levesque's mailbox would not be replaced.

Chairman Barry said the Town of Deerfield and the Town of Candia work within a Mutual Aid Agreement. The question was asked of how often those agreements are reviewed. An answer was not readily available.

Regarding the other incidents, Chief Greeley spoke to the Highway Agent, Alex Cote, who was only familiar with the latest incident. Mr. Levesque outlined what transpired previously noting that he had notes of having talked to Deerfield's Highway Agent.

The Selectmen thanked Mr. Levesque for bringing this to their attention and Mr. Levesque thanked the Board for their time.

B. E-Mail/Technology Transfer Center

An e-mail requested property record information similar to what was recently provided to Public Service Company of New Hampshire. The Technology Transfer Center mentioned having the information would lower their operating costs and assist with additional statewide planning. Assessing Clerk, Penny Touchette, will handle the request and provide only the data available within the legal limits.

C. RSA 91-A Request/Harriet Cady/Re: Mark Tibbetts and Sprinkler Systems

Harriet Cady requested, under RSA 91-A, answers to questions regarding the ruling for requiring sprinkler systems and engineering reviews for classroom space.

Mark Tibbetts provided the Selectmen with a response to Mrs. Cady that indicated he had not served on the committee that Mrs. Cady referred to for four years. Mr. Clark, from the State Fire Marshall's Office, requested a plan for the existing rooms, in the G. B. White Building, which would outline how they would come into compliance with current fire codes and laws. Vice Chairman Robertson added, for the record, that the Charter School was not seeking any classroom space at this time.

Emergency Management/National Incident Management System (NIMS) Resolution:

Present: Denise Greig, Welfare Administrator~Emergency Management Team Member

The NIMS Resolution was before the Board for review and signature. Ms. Greig explained the NIMS Resolution is being adopted by local governments as the procedure by which the Town would respond to an incident. Much of this process is part of the adopted Deerfield Emergency Operations Plan. It is a system that functions at all levels of the government, local, State and Federal. The goal is to have everyone coming to a scene speaking the same language and in tune with each other across the community, state and country. It is a common standard and training is on-going.

MOTION: Vice Chairman R. Andrew Robertson made a motion the Board signs the NIMS Resolution. Seconded by Selectman John Reagan.

VOTE: Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The Board of Selectmen signed the NIMS Resolution.

Town Administrator's Report:

1. Philbrick James Library/Furnace Repairs

The repairs to the furnace at the Philbrick James Library were discussed earlier in the meeting.

2. 2010 Warrant

Proposed Zoning Amendments

The language of the proposed zoning amendments has had some changes.

Article 1/Land Purchase

The order of the Warrant Articles changed placing the Land Purchase Warrant Article, for the Fire Department and Rescue Squad, as Article 1. This article is being treated the same as if it was a bond or note and requires a 3/5's vote because payments extend over several years.

Chairman Barry asked Mrs. Heon to explain what has transpired regarding the Public Hearing scheduled for this evening. Mrs. Heon learned the Public Hearing Notice was not published timely in a newspaper of general circulation, for the Town, even though it was published timely on The Forum and the Town's Website. Town Counsel's interpretation of newspaper meant a newspaper like The Union Leader or the Concord Monitor. The Public Hearing has been rescheduled for January 19, 2010, at 7pm, and the Concord Monitor has confirmed, in writing, the ad will run timely.

Chairman Barry pointed out that other questions have arisen concerning this article such as how the remaining years would be paid and would payments be made to the Fire Department and the Rescue Squad. In addition, the Municipal Budget Committee (MBC) was not aware of the 3/5 vote requirement. He pointed to the need to do all things correctly with regards to this Warrant Article.

Selectman Hooker advised the Board that he went online to the Rockingham County Registry of Deeds and believed that the Deerfield Volunteer Fire Association owns the property. Whoever owns the property would receive the funds and he would want to know that it is in fact both organizations, the Deerfield Volunteer Fire Association and the Deerfield Rescue Squad Association.

There are no covenants in the deed that Selectman Hooker could see and that would need to be known prior to all the money being paid and the Town acquiring the deed. It would be helpful to understand why the Deerfield Volunteer Fire Department and the Deerfield Rescue Squad are requesting covenants. Selectman Hooker also wondered what would have transpired if covenants were in place, and a grant was received, which would have moved the Fire Department to a different location. It isn't clear why restrictions would be placed on the Town.

The Selectmen spoke of the research they would want to do, how to go about it for next year and if the article should be pulled, to accomplish the research and then go forward the following year.

Fire Chief, Mark Tibbetts spoke to the agreement that was in place that shows that the Deerfield Fire Association and Deerfield Rescue Squad Association paid for the land. The agreement was signed by the Presidents of both organizations. He added he could provide the Selectmen with a copy.

Selectman O'Neal didn't believe it mattered who owned the land because if this were a real estate transaction outside of Town Government, the money would be paid to the parties owning the land. What the Town is buying is four yearly payments. According to the Warrant Article, the Town is purchasing the land for future expansion of the Fire Department and parking space for general use.

Chairman Barry pointed out that the restrictions would seem to be put in place via the Warrant Article which would mean the only way the restrictions could change, or be removed, would be through another Town Meeting.

Selectman Hooker could see a purchase and sales agreement containing all the contingencies the Board would require.

Fire Chief, Mark Tibbetts stated it is the intention of the Deerfield Volunteer Fire Association and the Deerfield Rescue Squad Association to have deed restrictions, with the wording included in the Warrant Article. This would assure both organizations that the land would be available to expand the Fire Station. If in the future, the Fire Department was located somewhere else, then the land could be used for something else, which would have been the case if the grant was awarded to Deerfield.

Mark Tibbetts reiterated there is supposed to be a deed restriction because the Associations wanted that in place. It was mentioned that deed restrictions are written within a recorded deed and are different from a Warrant Article restriction. Selectman O'Neal commented that in twenty years there would be different players and it isn't known what they would do.

Selectman Hooker was not comfortable with the lack of a total package and knowing exactly what was going to transpire. Selectman O'Neal said that if the Board took the article off the warrant it could be petitioned by twenty five or more voters. There was agreement among Board members to still hold the Public Hearing and answer any questions they could. Selectman O'Neal wanted to be sure that the numbers are completely accurate otherwise it could cost the Town money.

Vice Chairman Robertson said that going forward the Board could get a handle on all the information, and the deed restrictions, and then deliberate, giving consideration to everything. At this time, the Board cannot answer all the questions. Last year, the same article went before the voters and neither a Public Hearing nor a 3/5's vote was required. If all the money was raised in one year, it would eliminate bonding requirement and the 3/5 vote.

Selectman O'Neal reminded the Board Members if the seller required deed restrictions, the seller has restricted the deed. Selectman Hooker believed the Board would be doing a disservice to the Town if the Board didn't know what the deed restrictions are. The process to remove such restriction, in the future years could be difficult if the covenants are contained within the deed.

MOTION: Selectman Walter Hooker made a motion to pull Warrant Article 1, Land Purchase, 8 Church Street, from the Warrant. Seconded by Vice Chairman R. Andrew Robertson.
VOTE: Chairman Barry called for the Vote. It was a Vote in Favor; Yes-3 No-2.

The Selectmen noted that while the article had been removed from the Warrant it was anticipated that a petitioned article would no doubt be presented tomorrow.

It was mentioned to Chief Tibbetts that if a Petitioned Warrant Article came forward it is important that the deed restrictions are made known. Chief Tibbetts responded that the Fire Department and Rescue Squad need to protect their investment and look out for what is in their best interest. Selectman O'Neal understood but pointed out that everything should be covered such as the long range plans for parking for a fire house as well as how restrictions would be removed if nothing was built on it in the future. Vice Chairman Robertson agreed that the Board would want to know how the restrictions would be removed.

The Board indicated that all the information should be available at the Public Hearing next Tuesday evening, January 19, 2010 at 7pm.

3. 2009 Audit Process

The 2009 Audit process will get underway shortly which will result in completion of Deerfield's audit in a more timely fashion.

4. Notifications/Newsletters

Plans are underway for a short newsletter, just prior to the Deliberative Session, to be followed by preparation for the Voter's Guide.

5. Policy/Meeting Preparation

To achieve more consistency across all Boards, Committees and Commissions regarding meeting notices and publication of minutes, Mrs. Heon asked if the Board was interested in developing a policy. The policy would not conflict with RSA 91-A but define practices. The Selectmen favored the idea and suggested Mrs. Heon check with The Local Government Center to see if they have any policies on file.

6. Household Hazardous Waste Day

The grant requirements, for offsetting revenue concerning a Hazardous Waste Day, were reviewed in detail by Rick Pelletier. The information Mr. Pelletier located was that the grant funds were calculated at six cents per capita which meant, for Deerfield, a very small amount of money. Mr. Pelletier's findings were attached to the Town Administrator's Report and pointed out that to fulfill the requirements more money would be spent on preparing educational material than the Town would receive in grant funds.

The question being asked of the Board is whether or not the grant should be pursued.

MOTION: Selectman Alan O'Neal made a motion to not pursue the grant and drop the last sentence of the Warrant Article. Seconded by Vice Chairman R. Andrew Robertson.

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

7. From Rick Pelletier and Fran Menard/Gazebo Light

Fran Menard and Rick Pelletier have located a replacement light for one of the light posts at the Gazebo Field. The Gazebo Fund currently has \$13,000 in the account; the light costs \$1,053. The Board was in agreement the replacement light should be purchased.

Unfinished Business/Other Business/New Business:

1. Revaluation/Assessing

Selectman Hooker referred to the budget and read the numbers that should be reflected within the budget. Because there was already \$10,000 in the budget for general assessing that can now be removed. Funding should be in place as follows: \$14,000 for the Utility Appraiser; \$17,000 General Appraisal; \$149,500 for the Revaluation. Additionally, postage to be increased by \$3,500 for a budget or \$3,750 and supplies to be increased by \$1,000 for a budget of \$1,300 for mailings that are the Town's responsibility. The Revaluation Line would drop to \$180,500. The bottom line of the Town Budget would be funded at \$3,445,923 which includes the \$4,000 increase to cover a new furnace for the library.

MOTION: Selectman Walter Hooker made a motion to approve the bottom line of the Town Operating Budget at \$3,445,923. Seconded by Selectman John Reagan.

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

2. Default Budget

Selectman Hooker advised the Board the Default Budget would be reduced by \$14,000 for the Assessing changes but would not change for the \$4,000 placed in the Library Budget under the Repair and Maintenance Line.

Citizen's Comments

- Maureen Mann/Article 1

Mrs. Mann asked for clarification on Article 1. The Selectmen advised Mrs. Mann the Warrant Article was being delayed.

- Kathy Shigo/Mailboxes

Mrs. Shigo believed a little common sense should come into play concerning the gentleman who spoke about the mailbox. While there is a policy, there are still relationships to consider. The gentleman was not belligerent and in Mrs. Shigo's mind, three times is excessive. The Highway Department Budget has a Repair and Maintenance Line and she proposed, as a gesture, something should be done to reimburse the gentleman. Something should be done to show people that the Board is not hard-hearted because common sense is used in everything we do. Mrs. Shigo offered the suggestion as a way to resolve the issue.

- Harriet Cady/Revaluation Assessing Budget

Mrs. Cady asked the numbers be read again. Selectman Hooker read \$14,000 for Utilities, \$17,000 for General Assessing, \$149,500 for the Revaluation reducing the budget by \$10,000. Money for postage and for supplies was also added. Selectman O'Neal clarified the budgeted amount would be \$180,500.

Mrs. Cady didn't understand paying \$17,000 for General Assessing in the year the Town is being re-evaluated. Chairman Barry commented that General Assessing is above and beyond the Revaluation. Mrs. Cady pointed out that new buildings should be caught during the Revaluation which is why Mrs. Cady saw the funding for General Assessing as a waste of money. Selectman O'Neal reminded Mrs. Cady there are abatements to be done which would fall under General Assessing.

Adjournment:

6:59pm

Vice Chairman R. Andrew Robertson made a motion to Adjourn. Seconded by Selectman John Reagan. Chairman Barry called for the Vote. It was a Unanimous Vote in Favor. The January 11, 2010 Meeting is adjourned.

Note: The Public Hearing scheduled for January 11, 2010 was convened immediately following the Selectmen's Meeting.