

**TOWN OF DEERFIELD
BOARD OF SELECTMEN**

**June 7, 2010
MINUTES**

Call to Order

5:30pm: Chairman, Stephen Barry called the meeting to order.

Pledge of Allegiance to the Flag

Chairman Barry asked all to rise and pledge allegiance to the Flag.

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

Also Present: Cynthia Heon, Town Administrator and Nese Farrell, Recording Secretary

Citizen's Comments:

None

Rescue Squad/ Chris Gamache

Chairman Barry mentioned the Rescue Squad's monthly meeting agenda for June and asked if they'd had that meeting yet. Mr. Gamache said that was actually the agenda he was going to go over with the Board of Selectmen (BOS) at tonight's meeting.

Chairman Barry confirmed that the Board has not seen the policy for the stipends and suggested that he not pay out the stipends until the Board can view and sign the policy. The Board suggested addressing the items on his agenda in more detail at a later date, as they just received the presented material prior to the start of this meeting.

Mr. Gamache informed the Board that he presented them with the final spreadsheets. He did mention that one of the issues they are having now is that some are reluctant to give out their social security numbers and they are trying to convince them that it is the law and they need to do it or they are not going to get paid. He said it is a couple of people, which is basically an \$8,000 payout for the six months; if they pulled some people out, then the rest of the people would make more money.

Vice Chairman O'Neal asked if some sort of tax is taken out of the stipends. Mr. Gamache said he spoke to the Finance Director, Cindy Kelley about that already and she said they come out of her budget. He believes that FICA, Medi and Social Security are the only things that come out of it. Mr. Gamache said they will require everyone to fill out the appropriate paperwork.

Selectman Robertson asked if social security numbers are required for licensing. Mr. Gamache said not for New Hampshire EMS. He believes they are required to do it at the National level, National Registry, which New Hampshire EMS follows to get the National Registry Certificate.

Vice Chairman O'Neal referred to his letter in which he mentioned the Fire Chief's authority and responsibilities (he feels it is great for others to understand what the Squad is seeing) and he questioned the part where he said the Chief has the authority to determine the EMS cap versus how they hide a cap at the officer review board. Mr. Gamache said he included the words "just cause" so if there isn't just cause, the BOS would then be the appeal level.

He said the whole concept of tying the Fire Chief into the Rescue Squad was to go back to the way it used to be before the past warrant article effectively did away with the Director, which was appointed by the BOS, disconnecting the Rescue Squad from the Town completely. They want to do the right thing and tie the Rescue Squad back to the Town. They would like to go directly under the Fire Department, but the wishes of the Squad are for their services to remain an entity; from here on, to be their own service.

Vice Chairman O'Neal said they may need to have a new policy. He asked if someone doesn't want their stipend, would it be rebalanced to everyone else or just remains in the fund. He also asked if the Fire Chief would be part of the stipend process. Mr. Gamache said that they would plan to give that person who doesn't want the stipend the option to donate their funds to the Association.

The Board confirmed to schedule him for the next meeting (6/21st) to review the policy in depth.

Regular Business:

A. Approval of Minutes/ May 24, 2010:

MOTION: Selectman Reagan made a Motion to approve the Minutes of May 24, 2010.

SECONDED: Selectman Robertson seconded the Motion.

Vice Chairman O'Neal pointed out that Selectman Reagan was listed as present and as absent. It was confirmed that he was absent.

He also noted that at the bottom of Page-7, last paragraph, where he spoke about the warrant articles; it was written that the warrant articles are binding, but they were non-binding.

VOTE: Chairman Barry took a Vote to approve the May 24, 2010 Minutes as amended. It was a Unanimous Vote in Favor.

B. Vouchers/ Payroll Manifest/ Accounts Payable Manifest:

1. **Vouchers:**

Payroll Manifest/ Total \$42,002.01 (netting at \$31,785.29)

MOTION: Vice Chairman O'Neal moved to approve the Payroll Manifest in the amount of \$42,002.01.

SECONDED: Selectman Robertson seconded the Motion.

VOTE: Chairman Barry took a Vote to approve the Payroll Manifest.

It was a Unanimous Vote in Favor.

Accounts Payable Manifest/ Total \$310,162.81

MOTION: Vice Chairman O'Neal moved to approve the Accounts Payable Manifest in the amount of \$310,162.81.

SECONDED: Selectman Robertson seconded the Motion.

Vice Chairman O'Neal stated that he pulled the Iva Martin invoice for the crushing at the Town pit, due to the way it is allocated. He said it was shown that it was \$17,005.00 to crush and \$2,000.00 to blast on Reservation Road, but he is not sure all this was done in the pit. He added that if it was, he would prefer to see the whole amount charged to the gravel line.

Road Agent, Alex Cote confirmed that they ended up getting a hammer; they had rocks broken with a hammer at the pit instead of blasting it. He said they also had a hammer on Reservation Road. He confirmed that the \$2,000.00 is justifiable.

VOTE: Chairman Barry took a Vote to approve the Accounts Payable Manifest.

It was a Unanimous Vote in Favor.

C. Signatures

1. **Signatures Requiring a Vote:**

a. Revised MS-5:

MOTION: Vice Chairman O'Neal moved to sign the MS-5.

SECONDED: Selectman Robertson seconded the Motion.

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

b. Planning Board/ Appointment of Peter Schibbelhute and Shane Carter

MOTION: Vice Chairman O'Neal moved under the recommendations of the Planning Board to appoint Peter Schibbelhute as a member with a 1-year term and Shane Carter as an alternate member with a 3-year term.

SECONDED: Selectman Robertson seconded the Motion.

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

c. Town Clerk/ Tax Collector/ Re: Mrs. Hanson's December Tax Bill

The Town Clerk/ Tax Collector contacted First American Services to see how they would like this handled and First American wanted the refund for the 2009 Taxes turned over to them (\$800.04).

MOTION: Vice Chairman O'Neal moved the recommendations of the Town Clerk/ Tax Collector to approve the refund.

SECONDED: Selectman Robertson seconded the Motion.

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

d. Appointment Forms/ Deputy Forest Fire Wardens/ for Matthew Fisher & David Farrar

MOTION: Vice Chairman O'Neal moved the recommendations of the Fire Chief to appoint Matt Fisher & David Farrar as Deputy Fire Wardens.

SECONDED: Selectman Robertson seconded the Motion.

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

e. All Other Signatures:

2. **Signatures Not Requiring a Vote:**

a. Melanson Health & Company, PC/ Representation Letter
The Board signed the letter.

b. Intent to Cut/ Daniel Lamy/ Map 410, Lot 31
The Board signed.

c. Intent to Cut/ Linda Bandecchi-Hitchcock/ Map 418, Lot 13
The Board signed.

d. Intent to Cut/ Russell & Constance Blight/ Map 419, Lot 31
The Board signed.

e. Renee Darling/ Map 413, Lot 064
The Board signed.

f. Mary Anne Boyle/ Map 405, Lot 083
The Board signed.

g. Richard Chandler/ Map 413, Lot 002
The Board signed.

h. Gina White- Trustee Gina White, Rev Trust/ Map 419, Lot 027, Sub Lot 001 thru Lot 038
The Board signed.

Planning Board

Present: Jerry Coogan, Planning Board Member

Jerry Coogan stated that the Planning Board received and reviewed an application for Darrell Cady on Perkins Road at the May 26th meeting. He said the Planning Board needs to have an access off a defined Class-5 road. They looked back at all the records (going back to 1989), and it wasn't really clear to them where the beginning or end point was of the classification status of Perkins Road.

Chairman Barry said if they started from 1989, the Town approved changing the classification from George Keech's driveway across the front of George Owen's property; which comes to approximately 1,200 feet. Mr. Coogan said another factor that came into it is that the Board may have changed it to a Class-5 at the Town Meeting, but there have been subsequent state laws that say if the road has not been maintained for a period of five years or more, it reverts back to a Class-6 status. Based on that, he shared his Memo with the Town Counsel, who felt the appropriate thing to do would be to lay out the road by petition, hold a public/formal hearing and then take a vote to actually lay it out.

He said they have a continued Public Hearing coming up this coming Wednesday. He will recommend that the Planning Board approve the application, on the condition that the Selectmen act to lay out the road according to the Statute 231:8.

He presented a map of the subdivision site plan. Chairman Barry asked about the actual lot referred to and asked how much frontage was there and if they are coming up with 1,200 feet. Mr. Coogan said right now they are only requesting 540 feet; the rest of Perkins Road is in poor condition. He said the start point would be at the intersection of the Cady property and the Marquis property. He said the developer will upgrade it to a suitable condition that the Road Agent feels comfortable with. He said the Road Agent would give some guidance to the applicant as to what improvements are needed.

Vice Chairman O'Neal said he saw a start and end line marked out and noticed that the turnaround was pretty much at the bottom of the hill, right by the wet area. He asked the Road Agent if that would be a concern in the winter to be turning around at the hill. Mr. Cote said yes and no. He said they would have to go down past the turn-around. He said that in 2007 he was directed by the BOS to fix 300 feet, which he did, but they were not sure of where the start and finish was on the work that he did. So, that is why it is marked.

Vice Chairman O'Neal referred the RSA that says that if the road is not maintained for five years that it reverts to a Class-6. He asked if that is the fact, wouldn't that take the Vote of the Town to get it back to a Class-5. Chairman Barry said the Board has the power to lay out roads. He said it is only through neglect if it has reverted.

Chairman Barry recommended for Mr. Coogan to recommend that Mr. Cady present the BOS with a petition to lay out the road with specifics. He said there is a Noticing timeline that is very direct, which may take them all the way into July; need a Public Hearing and then 30-days clear time.

Vice Chairman O'Neal referred to the condition of the upgraded road and asked if it has been worked out with the Road Agent and asked what the minimum standards were. Mr. Cote has worked it out with Mr. Pelletier and the developer.

Chairman Barry said the Board will proceed upon receipt of the petition from the landowner.

Fran Menard mentioned that the Planning Board has spent a lot of time at the site to get some sort of monumentation on the land; showing where the Class-5 road ends. She feels it would make life much simpler in the future for the BOS.

Mr. Coogan said Rosco Blaisdell was a surveyor for the subdivision and prepared a legal description that was incorporated in this proposal. Chairman Barry would like to know where 1,200 feet from the Cady driveway takes them. Mr. Cote said it takes them to the end of the entire piece of property (uncut) and goes down through the

woods and the corner. He was told that it was passed in 1989 that the road from Rt-107, all the way down to the river, was made a Class-5 road.

Selectman Reagan said the problem is that the measurements take place in ambiguous points in the road instead of from Rt-107. Mr. Cote does not think they still have that now, but he said that they have the lot-lines that are now specifically drawn out.

Darrell Cady asked for clarification of the petition process. Vice Chairman O'Neal said it is about a 60-day process after receiving the signed petition.

Review of Correspondence:

A. Impact Fee Assessments:

1. Adoption of Amendments Recommended by the Planning Board:

MOTION: Selectman Robertson motioned to adopt the Planning Board's recommendation.

SECONDED: Vice Chairman O'Neal seconded the Motion.

VOTE: Chairman Barry took a Vote to adopt the Amendments.

It was a Unanimous Vote in Favor.

B. E-Mail/ Harriet Cady/ Re: Police & Confiscated Property, Black Police Cruisers:

Chairman Barry read aloud the email regarding what property the Deerfield Police have that has been confiscated. She asked if there will be an auction on these properties and has it been revenueed to the Police Department to be shared through state revenues. She also asked why the Chief is driving a black Chevy.

The Board will get those answers to Mrs. Cady as soon as possible.

C. E-Mail/ Harriet Cady/ Re: Manifests

Chairman Barry said they need to consult with the Town Treasurer to discuss the best possible way to have accounts payable or to have manifests signed on the weeks that the Board doesn't meet. The Board agreed.

D. Letter/ Attorney John McGowan / Re: Sila & Robert Tyler of 204 Raymond Road:

Chairman Barry stated that it is in regards to Gilman Road. Vice Chairman O'Neal suggested turning it over to the Planning Board first. Selectman Reagan said to refer to the Chief of Police and request the reports. Vice Chairman O'Neal said they need to determine its status and whether it has been turned back over to the abutters. The Board agreed.

E. Contract Grant:

Chairman Barry said that since they put some work into this, the SAU has agreed to fund the lawyer review, and as soon as it is done they will get back with the BOS.

Unfinished Business:

None

Town Administrator's Report:

1. Revaluation Information from Avitar Associates of N.E. (From: Penny Touchette, Assessing Clerk):

In response to an inquiry as to the number of homes that were inspected in the last round of visits, the break down for the week of May 17th through the 21st is as follows:

Monday	3 schedules with roughly 20 appointments for each	60 scheduled
Tuesday	3 schedules with roughly 20 appointments for each	60 scheduled
Wednesday	2 schedules with roughly 20 appointments for each	40 scheduled
Thursday	3 schedules with roughly 20 appointments for each	60 scheduled
Friday	2 schedules with roughly 20 appointments for each	40 scheduled

Total Inspections Schedules: 260

Some homeowners scheduled and then canceled at the last minute, some scheduled and when the representative showed up, they refused to allow them to do an interior inspection or the inspection was not done due to the homeowner not being at the property at the block of time that the Avitar representative showed up (i.e. if the inspection was scheduled for the 1:00pm to 3:30 pm block of time, the representative showed up at 1:00pm, would wait 15-minutes and move on to the next appointment and then the homeowner showed up around 1:30pm).

2. NH Department of Safety:

In response to a question of who was the Commissioner for the Department of Safety:

Commissioner John Barthelmes
Assistant Commissioner Earl Sweeney

3. New Highway Truck/ Hour Meter:

The Board questioned if the new highway truck had an hour meter. The answer is yes; hour meter includes other features which monitor things like fluid levels.

4. Things to be Accomplished:

Currently the Town Administrator maintains a list of things that are being worked on. In addition, she will meet with all Department Heads, administer their yearly evaluation and obtain a list of outstanding items from them as well. The hope is the list of information will be helpful to the Board of Selectmen and the new Town Administrator.

5. 2009 Audit:

This 2009 Audit process is drawing to a close with the remainder of the documentation being forwarded to Melanson Heath Company tomorrow. This will be followed by the Melanson Heath Company finalizing the report and forwarding the printed copy of the Board of Selectmen.

6. 2010 Evaluation Process/ Wage Scale/ 2011 Budget Preparation

A. 2010 Evaluations:

The employee evaluation process is underway. Packages were emailed to all the Department Heads and are due back by Monday, July 12, 2010, if not before.

B. 2010 Wage Scale:

The justification for the Town Administration positions was provided to the Board of Selectmen. The administrative positions vary in terms of job functions from town to town. The common denominator is that everyone does more than one job function.

A copy of the proposed 2010 Wage Scale with applicable ranges for each department will be forwarded to all Board members this week for review and discussion at the next meeting.

- C. 2011 Budget Preparation:
Department Heads will receive their 2011 Budget preparation package by June 30, 2010.

7. Hiring Process/ Transfer Station Attendants:

Six applications for Transfer Station Attendants have been received to date. Rick Pelletier will begin a review of the applications this week.

Selectmen Robertson commented that he was told by some that they were impressed by the attire of the Transfer Station attendants. Chairman Barry said that he was told by some that the Transfer Station looks ten times better.

8. Hiring Process/ Town Administrator:

Eighteen applications have been received. Some of the initial interviews will begin the week of June 14, 2010.

9. Transfer Station

A. Casella/ Check for Recyclables:

The check (\$11,000.00 plus or minus, for recyclables) will be processed next week and forwarded to the Town.

B. Revenue Reports:

Several revenue reports were provided to the Board of Selectmen for their review. The reports are used in the Town's bookkeeping department and can be tailored differently, if the Board finds additional information necessary.

10. Post Office Boxes:

A short spreadsheet was provided to the Board that outlines who holds the various Post Office Boxes. There is a Memo from the Chief of Police explaining why it would not be beneficial for the Police Department to have their mail dropped in a general Town mailbox. Currently, the Town pays \$70.00 for their Post Office Box. To increase to a larger box would range between \$110.00 and \$410.00.

The Board decided to drop the ZBA and suggest that the Rescue Squad pay for their own. Mrs. Heon said the Town Administrator's office would not need a bigger box if everyone was combined. Vice Chairman O'Neal mentioned that certain things should not be opened by just anyone; such as legal and confidential mail.

11. 2010 Town Legal Line:

The Town's Legal Line is nearly expended due to the variety and quantity of legal needs this year. All general inquires have been and will continue to go to the LGC staff attorneys.

12. Job Description/ Policy- Fire Chief:

Work is proceeding on the Fire Chief's Job Description. Once the Board acts on the information presented by the Rescue Squad this evening, the Town Administrator will incorporate any new information into the Job Description and provide copies to all Board members for their review.

13. TRC Contract/ EECBG Grant:

A. TRC Contract:

Included in the packet this week is a copy of the TRC Contract for the EECBG Grant. The contract is a

Federal requirement and is currently under review by the Deerfield School District's Counsel. This request was made, and the SAU concurred, that because the Town funded the Public Hearing Notices, the School could fund the legal review of the contract.

The documentation will be prepared for signature for the Board of Selectmen on June 21, 2010.

B. Group of Individuals working on the EECBG Grant:

There are many aspects of this grant that require attention. Ellen O'Donnell has agreed to be Project Manager, backed up by Richard Pelletier. Fran Menard, Jim Deely and Peter Menard are assisting with the RFP and reviewing the documentation that seems to come in daily. Cindy Kelley, Jan Foisy and Cindy Heon review and work on what will be expected in terms of accounting for the grant (similar to FEMA in terms of paperwork). Kevin Barry is the point person for the Deerfield School Board and Vice Chairman Alan O'Neal has recently assisted with the components involving "Buy American" and the Davis-Bacon Act. Michael Greene has offered to share his expertise.

14. Hazardous Waste Day/ June 12, 2010

The co-coordinators for this event are Chairman Stephen Barry and Vice Chairman Alan O'Neal. Clean Harbors will be setting up early on Saturday morning to prepare for the event, which is scheduled for 9:00am to 1:00pm.

Vice Chairman O'Neal stated that they are not going to accept latex paint.

15. Residency Form:

An example of the form that has been mailed to owners of record who currently have exemptions. This form is used to verify residency in preparation of Deerfield, being certified by the Department of Revenue Administration.

16. Minutes of May 24th/ Agenda of June 7th

It was brought to the Town Administrator's attention that the Minutes of May 24th and June 7th Agenda did not hit the website timely. Upon checking, the documents went out but the link was not established. This has since been rectified.

Vice Chairman O'Neal asked Mrs. Heon if there was a fair amount of applications that have come in for the Town Administrator position. She said yes, as there have been 18 responses.

Other Business:

Selectman Robertson said there are some changes going on at the School; the Vice Principal has given her notice and they are looking for a replacement. He said they are also looking to have some community involvement in the selection. He said the most recent Communicator has the details of how one can involve themselves. He said there is also discussion about changing the School's operation hours.

New Business:

None

Citizen's Comments:

Alex Cote referred to the \$11,000.00 check to be received from Casella and asked what timeframe that was for. Town Administrator, Cindy Heon said it was the 2009 – 2010 timeframe; they were hauling it and they were getting the reimbursement checks.

Harriet Cady referred to the post office boxes and feels a box put out at the Town for mail to be delivered should be possible. Chairman Barry said they would get Saturday delivery and they do not want Town mail sitting in that box over the weekend.

Mrs. Cady said Perkins Road was laid out once and asked why it would be laid out again. Selectman Robertson said the five years have lapsed and the Planning Board has requested it be done again. Mrs. Cady claims the Town has had maintenance on that road and recalls a 3/4-ton truck to plow it. Chairman Barry asked for her to provide the proof she has available to the Board.

Mrs. Cady feels that when the Cady name comes up in the Town they are made to jump through much more hoops than others. Chairman Barry said that as long as he's been on the Board that has not been the case.

Adjournment:

6:45 pm

MOTION: Selectman Reagan moved to adjourn.

SECONDED: Selectman Robertson seconded the Motion.

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

The June, 6, 2010 meeting is adjourned.

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