

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
July 27, 2020
MINUTES**

Call to Order

5:30 pm – Chairman Robertson called the meeting to order

Present: Andrew Robertson, Chairman; Richard Pitman, Vice Chairman., Cindy McHugh, Fred McGarry, Selectpersons.

Absent at Roll Call: Alden Dill, Selectman

Chairman Robertson stated that this meeting is going to be fairly brief. The primary mission tonight is that there are a couple of things to handle but the primary mission is to authorize the polling location for the Tuesday, September 8th, 2020 elections. That is the state primary and the general election on Tuesday, November 3rd.

He thought that everybody was aware that Dan Holridge and his election team have worked really hard and worked in conjunction with the fair association and they would like to have the Board authorize the fairgrounds, specifically, the Arts and Crafts Building as the polling location for both of the elections that the chairman mentioned earlier.

He will say, and he knew that Joanne Waring is on the line and she was there and Kelly Roberts who had a prior commitment, she also, has been up to her ears planning this too.

The Board visited the site last week as well as John was there. It looks like they have some real potential to distance, space people out and have a much safer location than either the town hall or the school.

His hat really off to the folks that have been working with Dan on this, working on a location and the plan that they have got.

With that said, they could really use a motion to make those the specific polling places this fall.

Motion: Vice Chairman Pitman moves to authorize the polling place for the September and November elections, be the Deerfield Fair Grounds, Arts and Crafts Building

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

The chairman stated that he wanted to extend thanks to the fair association. They obviously need to send them a letter. He didn't know how the rest of the Board feels but as he thought about it and looked at that large building, it seemed to him that there would likely be some cost, particularly for the November election, potentially with heating, lighting, that sort of thing and he didn't know how the Board felt about it and they didn't have to it this evening but he thought that they may want to authorize some sort of reimbursement to the fair association for letting the town use this too.

He didn't know if they had a particular number in mind. If they don't, he thought that they could probably come up with something but he didn't want to expose the fair association to unexpected, additional costs for being a good neighbor.

Vice Chairman Pitman stated that the other thing too, they should make sure that the town's insurance steps up for coverage.

Chairman Robertson stated that yes, and he didn't think that there would be any problem with that and they more than likely can get a certificate of insurance for the fair association making them an additional insured on the town's coverage so that the fair is covered should anything arise from the town being there.

Vice Chairman Pitman stated that this is what the fair asks from everybody else that uses it so he thought it would be a good idea if the town stepped up.

Chairman Robertson stated that he thought that it was an excellent suggestion and that they should be able to do that without any difficulty. Mr. Harrington will have to notify Primex that the fair association needs to be named an additionally insured.

Mr. Harrington stated that he would take care of that.

The chairman stated that their next order of business is the non-public session and this is to receive legal advice so they probably should have a motion to go into RSA 91-A:3, II(I). Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Motion: Vice Chairman Pitman moves to go into non-public session under RSA 91-A:3, II (I) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Second: Selectman McGarry

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

The chairman didn't think that it would be an extended time and when they come out, they may or may not take action for those who are on the call with them right now.

Mr. Harrington stated that Selectman Dill was joining them at this time.

(Board has returned from non-public). Mr. Harrington stated that there was one person in the waiting room and he is going to admit them now.

Chairman Robertson stated that he would note that no action was taken in the non-public session and he would entertain a motion to seal the minutes of the non-public session

Motion: Selectman McGarry moves to seal the minutes of the non-public session

Second: Selectman Dill

Discussion:

Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

At the point, the chairman stated that he would look for a potential motion as to what they discussed in non-public session.

Motion: Vice Chairman Pitman moves that they stay the course of what they discussed and continue with the auction as planned on three Estrella parcels

Second: Selectwoman McHugh

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Chairman Robertson stated that they will stay the course in regard to these properties that they were currently moving towards auction on.

Chairman Robertson stated that it wasn't on the agenda but is there any new business or other business that people want to bring up at this point?

Selectman McGarry stated that regarding Candia Road and he missed that portion of the meeting last week but talking with John, the Board did not actually take a vote to authorize the road agent to proceed with the work on Candia Road which he assumes that they are in a position to do that so he thought that they should probably entertain a motion for a formal vote to direct the road agent to do that.

Chairman Robertson stated that they could definitely do that although he believes he is probably within his authority once the hearing was held. He asked if Selectman McGarry wanted to make that motion to which he stated that he would make that motion.

Motion: Selectman McGarry moves to allow the road agent to proceed with work on Candia Road as outlined in the public meeting

Second: Selectman Dill

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

The chairman asked if there was any other business or new business?

Selectman McGarry stated that another road-related situation here and that is in regard to the contract that had been, the bid that had been submitted by R & D Paving.

The bid prices that they got were really good numbers and he has talked to several people and they all agreed that those numbers were, in fact, really good numbers.

The issue they had was with regard to the amount that was bid and the monies that they had available and if they chose to dip into the \$200,000.00 which had been passed in the warrant article, they would have more than enough money to cover the original bid that they had put out on the street.

He thought that they should probably take advantage of that and agree to issue a notice of award to R & D with follow up with signing of a contract with them.

The other item too, associated with that, would be that not all of that money would be used, at least he hoped not anyways, and could be used for Candia, Middle and South Roads so they would have additional funding available to do overlay work and assuming that the contract goes along with that, they could take recommendations made by Southern NH Road Surface Management Plan and identify those sections which they had recommended to possibly expand the overlay work with those items as well.

Chairman Robertson stated that he thought that it made good sense and his understanding is at present, they had awarded the paving contract to R & D. They just needed to specify what they exactly needed to do.

He was not sure of the process of taking money out of the warrant article and asked Mr. Harrington if they were the entity that would authorize spending from that warrant article. He didn't know if they needed a public hearing to do that?

Mr. Harrington stated no, and he believed that the wording is in the warrant article and that the Board are officers authorized to spend out of that.

It may be prudent to use the warrant article money first because that does have an expiration date of December 31st, 2020. If they use all the budget money and don't get all the warrant article money, that goes away at the end of the year.

If they turned it around and used the warrant article money first, and still have money in the road reconstruction budget, providing that they get a contract in place before the end of 2020, they could encumber it to next year with the idea that as soon as spring hits and as early enough to start paving projects. You would have a vendor lined up and ready to go.

Chairman Robertson stated that it made good sense.

He asked if the Board was in general agreement with Selectman McGarry's outline is the path that they wish to proceed on?

Selectman Dill asked Selectman McGarry just how short they were using road reconstruction money verses the warrant article money?

Selectman McGarry stated that he thought that the bid was and Mr. Harrington cut in to state that he had that number.

Mr. Harrington continued that the bid for Schedule A, the base bid, was \$276,129.50. He continued that they had \$257,000.00 to date. Nothing has been charged to that line to date. There has been an over expenditure on materials and contract work but that line has not been charged to date.

Selectman Dill stated that if they put the warrant article in there, they could pave a considerable amount more.

Mr. Harrington stated that they would basically up the entire road reconstruction fund to \$457,000.00 but the budget money can be encumbered and moved forward. The warrant money cannot.

Chairman Robertson stated that he was in general agreement with Fred's recommendations but what he thought that they might want to do, they have a meeting next week because this one was unplanned. Maybe get the road agent into the next meeting.

Mr. Harrington cut in to state that the road agent was already on the agenda for the next meeting.

The chairman continued that they should give him firm, marching orders as to what they wanted to do, next Monday. He didn't know how the rest of the Board feels about that.

Vice Chairman Pitman agreed as well as Selectman McGarry.

Selectwoman McHugh stated that maybe they should give the road agent a call to let them know what they are going to be talking about so that he can come in with information and the chairman stated that he thought that that was important.

Mr. Harrington stated that he did have a discussion with Mr. Rollins today and they could certainly touch on it next week at the meeting but one of the questions that Selectman McGarry had was when did Mr. Rollins seem to think that his projects that he needed to do prior to the paving would be done because the paving company can't start their work per the contract until Steve is done his underlayment work. He gave Mr. Harrington a date of the end of September or earlier.

That means that R & D would not be able to start much before the end of September or the first of October and there is a ninety-day clause in the contract.

Vice Chairman Pitman stated that he couldn't believe that it will take two months to get that Candia Road ready.

Chairman Robertson stated no, that maybe next Monday they could emphasize the importance of getting that done in August.

Mr. Harrington stated that he thought that Steve was talking about all three projects, Dick.

Vice Chairman Pitman stated, all three and Mr. Harrington continued that it would be the underlayment work for all three is what he said.

Selectman McGarry stated that he would be ready to pave in that time frame and Mr. Harrington stated yes but if they wanted to change that cycle up and have one road before the other so that R & D could get in here, that's something to talk about next week.

Selectman McGarry stated that he thought that they would have to talk to R & D as well to which the vice chairman agreed.

Selectman McGarry continued that maybe between now and then, he could give them a call and talk to them to which the vice chairman stated that it would be great.

Selectman McGarry stated that with the ninety days that they have in there, you can't expect the contractor to meet that ninety days when Steve is still in there working and he has to be out of the way so that the contractor can then proceed and then that would be when they would issue the notice to proceed for the contractor. This would be after they had signed the contract.

Chairman Robertson stated that if Selectman McGarry could do that, that would be really helpful and he appreciated his efforts.

The chairman asked if the rest of the Board was in agreement that they will give Steve some notice about what they are thinking and plan on meeting with him next Monday to get down to brass tacks and go forward on this to which all agreed.

Mr. Harrington stated, one thing, if he may and asked if the Board wanted to make a decision as to what funds they wanted to use first next week with Steve on the line because he codes the bills.

Chairman Robertson and Vice Chairman Pitman both voiced that they agreed that it would be an excellent time to do it.

Chairman Robertson asked if there were any other new or other business at this point to which there was none and he asked for Citizen's Comments if they had any citizens with them.

Mr. Harrington stated that they had one person on the line.

No citizen comments.

Motion: Vice Chairman Pitman moves to adjourn at 6:00 pm

Second: Selectwoman McHugh

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Next Meeting: Monday, August 3, 2020 at 5:30 pm

*The Minutes were transcribed and respectfully submitted by Dianne L. Kimball, Recording Secretary
Pending approval by the Board of Selectmen*