

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
July 6, 2021  
MINUTES**

**Call to Order**

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

**Present:** Andrew Robertson, Chairman; Richard Pitman, Vice Chairman, Fred McGarry, and Cynthia McHugh, Selectmen.

**Absent:** Alden Dill, Selectman

**(Meeting started directly after public hearing)**

Chairman Robertson: And, I'm going to take one thing out of order if the Board is in agreement and that would be the Marston property documents from Bearpaw. I know that Ms. Frey has another meeting that starts at 6 o'clock, I believe and would like to address that so the floor is yours, Serita.

(couldn't hear talking from the audience)

Either one of you or both of you.

Serita Frey, Deerfield Conservation Commission and Katrina Amarol is here with Bearpaw and I think she has some documents for you to sign.

Chairman Robertson: And I believe, do we need a motion for this, John or we've ....?

Mr. Harrington: It probably wouldn't hurt at this point.

Chairman Robertson: We've certainly approved this project in all its stages as it goes along but could you actually bring the documents and ...

Ms. Frey: I guess I could just say just so it's on public record that these are the closing documents for this project.

So, everything has been done and this is kind of the final crossing the eyes and dotting the t's or however that goes.

Chairman Robertson: Okay, all right. We have three sets of documents here that the Board needs to sign and these are essentially the closing documents for the Marston Farm Conservation property ...

Ms. Frey: The easement deeds

Chairman Robertson: But the closing documents for the easement deeds, yes.

**Motion:** Vice Chairman Pitman moves to approve signing the easement deed closing documents for the Marston Farm Conservation property

**Second:** Selectman McGarry

**Discussion:**

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

Mr. Harrington: Is it possible I can get those to you tomorrow? I can notarize them first thing in the morning and I have your email, I can let you know when they're ready or ....

Selectman McGarry: Okay, is it just signing that first page on each of the sets?

Ms. Frey: Yes, the entire sheet is there just in case you wanted to write.

Chairman Robertson: Do you, do you need initials do you think on the pages, I'm hoping not.

Ms. Frey: Nope. Just your signatures and then the grant agreement document with LCHIP is just one page.

Chairman Robertson: Right.

Ms. Frey: And just to clarify this, follow, the reason we're doing this now is this follows on the town vote that we had in June that approved this process and approved the Marston property becoming a town forest.

Vice Chairman Pitman: Nice.

Ms. Frey: So, a multi-year process that is now coming to a conclusion. So very exciting.

Chairman Robertson: Great.

Vice Chairman Pitman: That was over 100-acres, right?

Ms. Frey: What's that?

Vice Chairman Pitman: That was over 100-acres?

Ms. Frey: What's the acreage on the ...

(Someone from the audience) 128

Vice Chairman Pitman: 128, or something like that? Beautiful.

Chairman Robertson: I would thank you both for being with us this evening and hope you have time to get back to a computer.

Ms. Frey: I do and thanks, we really appreciate all your support over the years as we've made our way to finalize this project so thanks.

Chairman Robertson: Have a good evening.

Okay, back to our regular order of business.

We have Mr. Richard Pelletier here to make a recommendation regarding the transfer station well, I believe or the beginnings of a transfer station well.

Mr. Pelletier: I believe you've received the documents on the well drilling.

Vice Chairman Pitman: Yes.

Mr. Pelletier: I mean, Contoocook, if you do the math, Contoocook works out to be the best deal and everything is based on 420 feet.

That was, that is the average well depth in the Brown Road area.

Chairman Robertson: Okay, that was a concern of the Board at our last meeting was that we weren't sure what the depth specifications in the, in the quotes were.

Mr. Pelletier: Those numbers are based on 420 feet. If we have a dry hole at 420, we either keep drilling or we send them home. Pretty straight forward from that standpoint or we could opt to potentially hydro-frack and maybe get water.

I mean, we do have a couple of wells up there that are around 600.

Chairman Robertson: Okay, so the Contoocook estimate is the second to last page in the packet that we have and the estimated cost for the project without pump installation at this time is \$7,350.

**Motion:** Vice Chairman Pitman moves to go with Contoocook Artesian Well Company, Inc. for the transfer station well as specified

**Second:** Selectman McGarry

**Discussion:**

Selectman McGarry: So, depending upon the static level that we end up getting, we could have an additional cost or whatever the additional cost for the pump would end up being and, in this instance, Contoocook was looking at a potential two horsepower motor versus a one horsepower for the Capitol Well, so ...

Mr. Pelletier: Well, so my original specifications with to them where I was looking for a fairly high-capacity pump because part of the reason for installing the well is to be able to use water for the fire, for the fire tank and so forth and I'd rather, I'd like to be able to fill it in a reasonable period of time, not two or three days.

Chairman Robertson: Further discussion?

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

Chairman Robertson: So, Contoocook it is and thank you, Rick. Appreciate the additional information.

Okay, moving on and I would note a couple of things. Nick Lawrence will not be joining us tonight for those looking at your agenda wondering why I didn't recognize Nick and also, Alden Dill will not be joining us this evening.

### **Regular Business:**

#### **Review of Outstanding Minutes of June 22, 2021**

**Motion:** Selectman McGarry moves to approve minutes of June 22, 2021

**Second:** Selectwoman McHugh

**Discussion:**

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

#### **Vouchers/Payroll Manifest/Accounts Payable Manifest**

##### **Accounts Payable Manifest dated July 6, 2021 - \$388,982.70**

**Motion:** Vice Chairman Pitman moves to approve the Accounts Payable Manifest in the amount given

**Second:** Selectman McGarry

**Discussion:**

Vice Chairman Pitman: Yes, we should just note that there's 300 and something thousand in there for paving.

Chairman Robertson: Yes. It's well above the normal accounts payable manifest that we would see because the paving costs are included.

Further discussion?

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

### **Signatures/Correspondence**

I would note for the record that we signed a payroll manifest on June 28<sup>th</sup>, 2021 and that was in the amount of \$50,359.54.

We also signed an accounts payable manifest on June 28<sup>th</sup> in the amount of \$20,341.76.

The rest of the correspondence file is a report from Ted Gatsas at the Executive Council, some Planning Board minutes and some Zoning Board of Adjustment minutes as well.

We have a service agreement between the Town of Deerfield and Rags and Roses Professional Maid Cleaning Services, LLC. That is a Deerfield based business and this is to get back to a regular cleaning schedule in the town buildings, primarily, the George B. White building. It also includes the library but we need a motion from the Board for the chair to sign the agreement

**Motion:** Selectman McGarry moves to approve the chair signing the agreement with Rags and Roses Professional Maid Clearing Services, LLC

**Second:** Selectwoman McHugh  
**Discussion:**

Chairman Robertson: I would note that this came after a fairly rigorous search process by John Harrington and Ray Ellis. I would also note that there wasn't a tremendous amount of interest in coming out to Deerfield to clean our municipal buildings but we were lucky to find a couple of folks who were willing to give us bids.

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

Chairman Robertson: We have a special payroll manifest in the amount of \$5,075.90 and this is the last payment to retiring employee, Carl Oehler, of the Highway Department.

**Motion:** Vice Chairman Pitman moves to approve the payroll manifest of \$5,075.90  
**Second:** Selectman McGarry  
**Discussion:**  
**Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: I would note that we had a retirement luncheon at the GBW last week for Mr. Oehler whose retired after serving 21 years in the Highway Department. For those wondering, means he survived five different highway agents.

Okay, we have a change order. This is with R & D Paving and this is for the additional paving that we did and I believe this was negotiated with a lot of assistance from Mr. McGarry and the change order is in the amount of \$197,202.20 and this is the overlay of Griffin, Nottingham and Parade Roads.

Well, actually, it's it's, well that was the original order and this is the change, bear with me, to include 1,950 feet of additional work on Parade Road and 5,022 feet of additional overlay on Middle Road.

Vice Chairman Pitman: Correct, but, excuse me, isn't it more like 140. Last meeting, we approved, and made a motion for up to 144?

Mr. Harrington: Correct. That is what is in the change order.

Vice Chairman Pitman: The 142,681 on this sheet here.

Chairman Roberson: Actually, right to, we've got a net increase, I'm sorry, the total contract price was up to \$341,202.20.

The change order increase and the motion you made, Dick, was to increase up to \$144,000.00 and we finished with a \$143,204.43 actual increase.

Vice Chairman Pitman: Great.

Chairman Robertson: Just about exactly what we thought it was going to be and this calls for one signature.

**Motion:** Selectman McGarry moves to authorize the chair to sign the change order number one for the paving contract  
**Second:** Selectwoman McHugh  
**Discussion:**  
**Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: We have an outside detail contract and this is for general law enforcement and crowd control at the Deerfield Fair from September 29<sup>th</sup> through October 3<sup>rd</sup>, 2021 and this essentially authorizes our town police officers to work as security at the fair and sets the chair per officer and that charge per officer is \$40.00 per hour plus \$8.95, \$5.73, or \$3.22 per hour for administrative costs depending on the officer. I'm assuming payable to the Town of Deerfield.

**Motion:** Selectman McGarry moves to approve the proposed agreement for police services at the fair  
**Second:** Selectwoman McHugh  
**Discussion:**  
**Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries**

We have one, two, three, four letters that don't require a motion. They just need to be signed and these are the letters that we are sending to our state representatives and our state senator regarding the warrant article that was passed indicating, well I'll read a copy of the letter and this is language that we discussed at the last meeting.

"The Town of Deerfield recently passed the warrant article regarding redistricting. The language is as follows:

By petition of 25 or more eligible voters of the Town of Deerfield, to see if the town will vote to urge that the New Hampshire General Court which is obligated to redraw the maps of political districts within the states following the federal census, will ensure fair and effective representation of New Hampshire votes without gerrymandering.

Additionally, these voters asked the Town of Deerfield to urge the New Hampshire General Court to carry out redistricting in a fair and transparent way through public meetings not to favor a political party to include communities of interest and to minimize multi-seat districts.

The record of the vote approving this article shall be transmitted by written notice from the selectmen to Deerfield state legislators informing them of the demands from their constituents within 30 days of the vote.

As I said, we've already voted to send a letter so I will start them on their way.

We have a petition, a pole petition for utility poles from New Hampshire Electric Cooperative and get to where the pole is, this is a pole on Mt. Delight Road near the Deerfield/Allenstown border. Appears to have been, appears that we have all the documentation. I believe this has been reviewed by the Highway Agent as well and we need a motion and signatures to give them permission to place the pole.

**Motion:** Vice Chairman Pitman moves to approve the pole petition as presented from NHEC

**Second:** Selectman McGarry

**Discussion:**

Chairman Robertson: And I can give you an exact, this is, nearest crossroad Kettle Rock Road, it's actually house 228 on Mt. Delight.

**(No vote taken, see video at 30:10 thru 33:20)**

Chairman Robertson: And last item in the Signature file is a request to appoint Amy Lockwood to the Zoning Board of Adjustment for term of office lasting from now until April 30<sup>th</sup>, 2024.

We have the documentation and a copy of the minutes of the ZBA meeting where this was approved.

**Motion:** Selectman McGarry moves to approve the recommendation from the ZBA

**Second:** Selectwoman McHugh

**Discussion:**

Chairman Robertson: Glad we have folks interested in stepping up and being on the Board.

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

Chairman Robertson: At this point, I would look to the town administrator for his report.

#### **Town Administrator's Report:**

Mr. Harrington: Just a ventilation update. The work on the library started today. They are already installing the unit upstairs in the attic. Hopefully be done in a day or so and the next stop is to come over here and start on the George B. White Building. By that time, they're hoping that the ventilation unit will be in. They're waiting for that to be delivered.

We're working with trying to get an electrical quote to have the units hooked up. That's proving difficult to get somebody to stop by to give us that quote and I'll update you as soon as I find out.

You also received a quote for the vegetation cleaning of the GBW leach field which is across the road.

Ray asked Mark Tibbetts what it would cost to have him go through, clean out the saplings and keep it mowed on a regular basis.

The quote he gave was \$1,500.00. I'm working with the road agent. We do need to cut a path in order to get equipment in, onto the leach field in order to have it mowed and I just needed permission from the Board to approve that quote and have that started.

Chairman Robertson: What's the Board's pleasure with regard to that. I think it's important work certainly.

Selectman McGarry: Yeah, it certainly is and we want to make sure that those saplings don't grow up again so having that on the regular, regular mowing schedule and they're going to be an excellent idea.

**Motion:** Selectman McGarry moves to approve the proposal by Mr. Tibbetts to do the sampling removal and mowing for \$1,500.00

**Second:** Vice Chairman Pitman

**Discussion:**

Selectwoman McHugh: Is that the mowing continuous or that just the one time?

Mr. Harrington: It would probably be around the same cycle as the transfer station hill, a couple of times a year just to keep the grass knocked back.

This first time is going to require more work because we've got to dispose of all those trees.

Chairman Robertson: So, this is just the one-time cleaning.

Mr. Harrington: And then the rest would be a couple of times a year to just mow.

Chairman Robertson: Further discussion?

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

Mr. Harrington: And an announcement from the town clerk/tax collector that that office will be closed on Tuesday, July 13<sup>th</sup>.

Kelly's going to be in a training and Kim will be on vacation so I just wanted to enter that into the minutes.

Sometime this week, we have R.B. Lewis coming by to pressure test the sprinkler system over at the town hall. There's been a recurring suspicion that we have a leak somewhere in the system. They don't suspect the tank. They suspect more the plumbing from the tank into the back of the town hall so they're doing this, it's a conservative test rather than a bigger tank test to see if we can determine if that's where the leak is coming from and then we'll move on from there and they should be doing that sometime this week.

Selectwoman McHugh: Is that the test that they did a couple years ago?

Mr. Harrington: I don't know what they did a couple of years ago.

Selectwoman McHugh: We had a leak in there before?

Mr. Harrington: There's been a previous repair to the piping from the tank into the town hall and that's what they suspect is that the patch or whatever fix there was, has started leaking again so that's where they're focusing because where the leak is located is so far enough away from the tank that they're suspecting the pipe.

That's the least invasive choice at this point. The worst choice would be having to dig the tank up. We're hoping that's not going to happen.

And, last but not least, I was asked to bring up the option of the Lamprey Health Van utilizing the GBW parking lot. We discussed that at the last meeting and I was asked to push it off until this meeting to discuss again.

Chairman Robertson: So, what's the Board's pleasure with regard to the medical clinic van?

Selectman McGarry: Yeah, that could be a good idea.

Mr. Harrington: Just to refresh your memories, right now the schedule would be Fridays from 9 to noon. Setup would be at 8:45am. They are available to start August 6<sup>th</sup> of this year.

The van is the size of a Prime van and it fills up one space. The team would set up a pop-up tent which is 10 x 10 and they place a table under the tent. It would involve a registered nurse; nurse practitioner and they would arrive on the van and a community outreach worker arrives in their own car and this would be open to anybody that wants to walk up and get these services.

Chairman Robertson: And, my understanding was that both Lamprey and I believe our health officer felt that this, GBW, would be a more central and visible location than some of the other locations that we talked about.

Mr. Harrington: And it would be well after the drop off of the summer camp.

Selectwoman McHugh: I still think it's going to be a nightmare.

Mr. Harrington: Well, what we can do, is if the Board would allow it, is to have a trial run for a month and if we run into problems, we can always revisit it and find another location.

Chairman Robertson: Is the Board agreeable with a trial run for one month.

It appears all Board members approve of a trial run.

Mr. Harrington: Obviously, if there's any more serious repercussions, we can cut it short and ...

Selectwoman McHugh: If you do a trial run, now everybody's used to coming here and it doesn't work, now you've got to move it and explain to everybody, oh we had to move it so...

Vice Chairman Pitman: Where else would they put it, Cindy?

Selectwoman McHugh: I said the town hall last time. There's a nice parking lot down there. There's nobody there. I don't know.

Chairman Robertson: I think the one concern that was brought up was that there weren't handicapped, accessible bathrooms.

Selectwoman McHugh: There's the ramp at the town hall but just my opinion.

Mr. Harrington: That's it for me this evening.

Chairman Robertson: Moving onto unfinished business.

### **Unfinished Business:**

We have already taken care of the Marston Property. We have discussed choosing a vendor for well installation at the transfer station.

We did agree to come back to mask wearing policy for the GBW and town buildings.

Have a couple of different motions last week.

I guess, my input after thinking about this would be that we make mask wearing optional in the GBW and town buildings and post signage saying that we would appreciate mask wearing if you have not been vaccinated but that's just my thought regarding this. I don't know what the Board...

**Motion:** Vice Chairman Pitman moves to approve the mask wearing policy stated by the chair

**Second:** Selectwoman McHugh

**Discussion:**

Chairman Robertson: I think we've pretty much sort of degenerated into optional mask wearing anyway so make it as safe as possible and move forward.

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

Chairman Robertson: Next, we have Thurston Pond Dam and we had made a request to DES as to their thoughts on what attention the dam might need.

I believe everyone had a chance to read the email coming back from Steve Doyon who said that they don't and I know Dick and I had visited the dam four years ago or so, three or four years ago and we had talked to the state at that time and they said that they don't have any particular plan for that dam. It would be up to us. They don't consider the dam a hazard and noted that if it released or breached, the water would just continue down the natural streamway into a, you know, a series of, for lack of a better term, marsh, swampy areas below and flush out of the system.

That said, I've talked to several people who feel there's some historical value to the dam. It's apparently, the actual road is the dam and has stone underpinnings that date back to the 1700's. I'm not sure what work or damage has been done in the intervening years over the decades but it is still there.

What Steve suggests is that we arrange a visit to the dam for a scheduled inspection. He can have somebody from dam safety join us if that's what we'd like and I can't speak for the rest of the Board but I know my knowledge of dam engineering and dam safety is pretty limited so I would favor having somebody from dam safety join us for the visit to take a look at it.

Selectman McGarry: Yeah, I would agree.

Chairman Robertson: He also noted that although they take no responsibility and have no plan and offer no plan for the dam that if we decide we want to do something, we must be fully compliant with the state permitting process and involve them before we do much of anything so that's where we are with regard to that.

If the Board is in general agreement, could you contact Steve and he gave some estimate as to how they might schedule this but see if we can get an appointment scheduled.

Okay.

The other thing that is not listed but I will mention, we had an email from the NHEC regarding their attempt to roll out broadband service to eventually all customers in their; in the state of New Hampshire.

Unfortunately, the email referred to the map which showed which communities they were going to begin work in. First and foremost, and there were, I believe, three different illustrations in that email and you couldn't see the illustrations in the email. They were blocked out so hopefully, we can get some more update on that.

This gives us a rough idea. It does not look like Deerfield has a check mark in it as to the communities they're intending to start work on first. Just throw that out there.

We have a request from the Deerfield Heritage Commission regarding Old Home Day display and this is for the Heritage Commission to have a display at Old Home Day.

To give you the specifics, the Deerfield, I'm sorry, I need to correct, the request is from the Deerfield Historic Commission to set up a display.

Mr. Harrington: It is the Heritage Commission. That was a misprint.

Chairman Robertson: Okay. Good.

Selectwoman McHugh: One of them.

Chairman Robertson: There is a major difference between the Historic Commission and the Heritage Commission so the Deerfield Heritage Commission is planning to set up a display at Old Home Day to explain our mission and projects.

We are also inviting the other commissions in town to join us and this was brought up last week.

Would the select board like to have a similar display or be there and I don't believe we made a decision last week. Does the select board have an interest in having a display at Old Home Day?

Selectman McGarry: Unless the Board of Selectmen have a display?

Chairman Robertson: That appears to be the invite.

Vice Chairman Pitman: Only if it's for the new police building.

Selectman McGarry: Yeah, that's a good idea.

Mr. Harrington: That could be part of it. I know Kelly would be willing to put together some materials as well. I can talk to her.

Chairman Robertson: Okay.

I don't think the Board has a specific interest in a Board ...

Mr. Harrington: No, I'm not going to bring arts and crafts and poster board for you folks to work on.

We'll take care of it from this end if you agree to have a display.

Chairman Robertson: Are we in general agreement that if we have police department information or if the town clerk's office would like to participate, are we in general agreement?

(Members stated yes)

Mr. Harrington: Okay, Thank you.

Chairman Robertson: I'll probably be cooking chick so ...

Vice Chairman Pitman: Hope so.

Chairman Robertson: Okay, moving on.

#### **New Business:**

Selectman McGarry: Yeah, Mr. Chairman, this is a good opportunity to follow up on Dick's mention about having a display with regard to the public safety building and I think, I think the Board should end up setting up a subcommittee to go further into, into the possibility of contacting a design build contractor to see what experience they may end up having and cost ranges that we may be looking at for a public safety building and I would certainly volunteer to be part of that subcommittee and I know that the chair of the Planning Board also would be interested, Mr. Schibbelhute, would be interested in that as well.

Chairman Robertson: Yup, I think that's an excellent idea and I know I've had some discussion with you and I had approached Groen Contracting of Rochester who had done a number of similar projects and I know that they would be very much willing to meet with us.

Selectman McGarry: That'd be good.

Vice Chairman Pitman: Nice, Thanks Fred.

Chairman Robertson: Other new business?

Other business that's not new?

Okay, we do not have a need for a non-public session that I'm aware of so at this point, I would look to Citizen's Comments.

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

Mr. Harrington: You still have to vote on the ARPA to accept.

Chairman Robertson: Oh, oh, yeah, I'm sorry.

Yeah, per the public hearing, we took public input regarding the American Rescue Plan funds. The Board would need to actually make a motion and vote to accept whatever funds are available to come our way.

**Motion:** Vice Chairman Pitman moves to accept any ARPA funds that are allocated to the Town of Deerfield

**Second:** Selectman McGarry

**Discussion:**

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

Chairman Robertson: Now I would move to Citizen's Comments.

#### **Brian Adams – 41 Thurston Pond Road**

I just wanted to emphasize the importance of the Thurston Pond Dam as having a lot of historical, hydrological and ecological value.

I know the least cost option would probably be to breach the dam. I don't think that's the best, in the best interest of the town seeing how the old mills, dates back to before the town. There's a mill site there at the dam that is on part of the town's historic path, for lack of a better term you know, all the historic sites in town and living right next to it, you know, I wouldn't, I would classify the dam as in good condition.

There are, you know, some rocks that need to be put back, you know, excavator work of that nature but I think a long-term solution for that dam would be a rock collar and as an abutter, I'm volunteering my time to help research that and lead the effort whenever that time comes, whenever you, we need to make a decision as a town.

Vice Chairman Pitman: Being an abutter, could he come to our meeting?

Chairman Robertson: Yeah, would you be able to join us when we do a sighted, obviously we don't have a date and time yet but given that the date and time is suitable, would you be able to join us when we do that visit?

Mr. Adams: Absolutely. I love field trips and it is right in my backyard.

Chairman Robertson: And I will say that the last time that Dick and I did this with Miss Hartnett from your backyard, we actually, we didn't quite step on, we tripped over a Blanding's Turtle in front of the dam.

Mr. Adams: Yeah, I would love to be kept informed of that and participate in any way I can help.

Chairman Robertson: Yeah, and I would mention for the public's benefit too, that the Board has never discussed the breaching of the dam as being a suitable option for that.

Mr. Adams: Great. That's good news, thank you. Appreciate it. Thank you.

Chairman Robertson: Other citizen's comments?

Okay, hearing none, I would look for a motion

Chairman Robertson: Yes, Mr. Cross.

#### **Ed Cross, Thurston Pond Road**

Invited here tonight for this meeting for the possibility of having a conversation about the status of Ridge Road and Thurston Pond Road, a continuation, I guess, of a conversation that was had at the last meeting. Is that going to happen here tonight?

Chairman Robertson: We do not have a discussion of Thurston Pond Road on the agenda this evening. We're waiting for some additional information but certainly the discussion that we've had prior is that the Town of Deerfield adamantly feels that the entirety of Ridge Road, Thurston Pond Road, whatever it's been called in the past, is indeed, a Class VI Road.

In our research, we found one plot plan, that being the plot plan that relates to your particular parcel showing the land reverting to abutters and, and talking about the 1939 town meeting and showing the property lines in the middle of the road.

The next two plot plans in immediate continuation westward on that road clearly show Ridge Road, make no mention of the '39 meeting or the road reverting to abutters and the Board is concerned, as is the community, we had a very well attended, unbeknownst to us that I was going to be well attended, meeting at the end of June regarding that, that road and we do strongly feel that, that is a Class VI Road.

As such, and this is a unique situation, our building inspector has given you a building permit and construction as started but essentially building on a Class VI Road requires the explicit grant of the building permit and use of the Class VI Road for driveway, from the Board of Selectmen. Not the Planning Board. Not the Zoning Board and that's what the Board has on our plate at the time.

We did reaffirm at the June 22<sup>nd</sup> meeting that we strongly feel that Ridge Road. Thurston Pond Road, whatever it's identified as. It's actually identified under three different names looking back through the historical documents, documentation that we have.

Memory serves running from 1772 up though till today.

Mr. Cross: Andy, do you have the minutes to the 1939 meeting?

Chairman Robertson: I do.

Mr. Cross: So, could I get a copy of those.

Chairman Robertson: We can and there are actually, I believe, two sets of minutes regarding that. There's one fairly vague set of minutes and then there is a more explicit and detailed record of the meeting.

Mr. Cross: So, if the tax maps, and they have for as long as I've known, I've been in two for almost 20 years, has always classified them right on the tax maps as discontinued roadways and you have a meeting that was called for the town. The town voted to discontinue those roads and it was accepted as discontinued roads, how is it that they end up getting reverted back to a road again?

Chairman Robertson: Roads can be discontinued and do not necessarily revert to the abutters.

Mr. Cross: Yeah, well, you know, I know that this was part of a discussion that was had 20 years ago when I bought my initial piece coming in off of Mt. Delight Road and at that particular time when I was inquiring on the town level on who has clarity on what the situation is, my answer was that the town has no intentions of defining it and spending the money to define it. If any of the landowners want to spend the legal money to define it, they're welcome to. That's kind of the attitude I got.

I purchased the land regardless understanding that it was in a state of chaos as far as that particular documentation goes but now, I'm a little more concerned because now I own another section on again, another discontinued road and now my ignorance 20 years ago isn't quite there anymore.

I understand my property owner rights. I'm not a genius. I'm not a professional but I'm a lot smarter today than I was back then on inquiring about answers.

I think the Town of Deerfield has a lot of work to do to give answers to people who own land on those roads.

It's clear to some that they're discontinued, resorted back to the rights of the abutters but it doesn't seem to be clear to all so I'm a little confused. I am concerned. John, I appreciate the call to give me a heads up to be here tonight. I wish it was going to be some more discussion ...

Chairman Robertson: And we will, we will certainly as this discussion continues, we will notify you, very specifically, when we intend to address this and it will be soon. I'm hoping next meeting.

Mr. Cross: So, the reality is, is my property that I'm building a house on right now, has frontage on a paved road. I have a drive; I've applied for a driveway permit off of that paved road and what would stop me from being able to access the rear part of my land by going down that right-of-way?

Chairman Robertson: Well, we consider that to be a Class VI Road.

Mr. Cross: That's right. You do consider that as long as many other people do too but legally, I don't know if you have that right and that's where I want clarification because I'm not going to be satisfied with just having an answer. I want clarification this time.

Chairman Robertson: Yep, and you will indeed get clarification from this Board. Unfortunately, it is not this evening and we will give you plenty of notice when we move forward on that.

Mr. Cross: And, so, I would like to be on record as being able to be notified when you're coming to any discussions in regards to what you plan on doing with either one of those roads.

Chairman Robertson: I think that this is completely reasonable.

Mr. Cross: And for that, I appreciate the time. Thank you very much.

Chairman Robertson: Thank you.

Other citizen's comments?

**George Thompson, Middle Road:**

I just wanted to say, ask you if you were going to also notify the public to, when you're going to have that meeting down at Thurston Pond Dam or maybe I can, I just ask the courtesy that someone notify me when you're going to have the meeting down at Thurston Pond so that I can come down?

Chairman Robertson: Absolutely.

Mr. Thompson: All right. Great. I was a person who notified the state. The only reason I did that is Brian Adams contacted me on a weekend and said that he was walking by and saw that there was some damage to the, I don't really understand but I think it was the probably the, what served as a big culvert and that not really understanding what, how bad it was or anything, I've not been down there for a while, I haven't seen it. That's when I contacted Steve Doyon because I still had his name from when before and then also subsequently on some other dams that I've worked on so I hope I didn't, you know, over alert anybody but I just didn't, I figured the best thing to do was to let them know and then, you know, figure it out later.

Chairman Robertson: Nope, I appreciate that and as I mentioned, we had actually been in conversation about these four years prior as well so.

Mr. Thompson: Great. Thank you.

Chairman Robertson: Thank you, George.

**Bernie Cameron, Mt. View Road:**

Thank you for signing the letter for the state reps notifying them of our passing the warrant article but I think I heard that it was just four copies so a copy should also go to Senator Reagan.

Chairman Robertson: Senator Reagan was included, as well. I may have messed that up.

Ms. Cameron: So, it probably was five copies.

Chairman Robertson: It was.

Ms. Cameron: And then I had also requested it, is a copy going also to the Special Committee on Redistricting?

Mr. Harrington: Yes.

Ms. Cameron: Okay, great.

Thank you very much for doing that.

Chairman Robertson: Certainly.

**Harriet Cady, 32 Old Centre Road:**

I think that there should be some research done regarding Thurston Pond because I was at several meetings back when Kate Hartnett got the road open to build down there but because it was discontinued, it wasn't in all the legal going on.

There was a point when Kate asked to put an electrical, generating system at this dam and the research came back that Mr. Thompson owned it and that he could breach it if he wanted to.

It seems like, you know my memory may be a little faulty but there's got to be minutes recording all this conversation that went on at public meetings and I know at one point, that was a discussion. How many years ago, I have no idea but at least nine or ten.

Chairman Robertson: I actually, I don't have the specifics in front of me but I have a very good recollection of the hydroelectric discussion, the 1991 discussion. I have reviewed multiple copies of the 1939 town meeting. I have land grant documentation for range lines and range ways back to the 1760's, maybe earlier and all of that is being taken into consideration.

Ms. Cady: It may be something that you would like to read because you're the one in the land there. It's just something that I remember from attending all the meetings. The discussion was really hot and heavy and I know Joanne still maintains it was a discontinued road and reverted to the owners on each side.

Chairman Robertson: Thank you.

Other discussion?

Yes, Mr. Cross.

**Ed Cross, Thurston Pond Road:**

I assume one of the questions you must be asking town counsel is going to be what has the legal precedence. Is it the meeting that held, that was held, that voted by the town members to discontinue the road or a potential mistake by people who were doing some survey and plot planning?

Chairman Robertson: At this point, we have not asked a specific question like that to town counsel. Obviously, the discussions will more than likely will include that as well, yes.

Mr. Cross: Just an opinion, it has been talked about as those roads being Class VI Roads by many people. Whether that was correct or not, is what you need to figure out, I understand that and I don't doubt that some, potentially survey work, was done based off of misinformation that was given to them potentially by towns people and even officials so I would highly suggest that you look back at the records clearly and closely because I do think that there is a possibility that there's been mistakes made even on doing any plot plans in the past since that 1939 meeting that perhaps were wrong and need to be corrected.

So, I suggest that the town do something about finally answering this question that was brought to them back in 1991 and it was brought again to them when I was building my house back in 2004, 2003, 2004.

In this time, I'm not going to be satisfied with well we've always called it that. That doesn't cut it.

Chairman Robertson: Yeah, and the Board of Selectmen certainly understands that decisions have to be based on actual fact and not what we've always done.

Mr. Cross: And I, hopefully, look forward to seeing what that information is. Thank you.

Chairman Robertson: The other thing that I would mention quickly is that you are able to build on a Class VI Road and a driveway cut on a Class VI Road. The only drawback is it requires permission of the Board of Selectmen as opposed to just the building inspector, ZBA variances or Planning Board decision.

Mr. Cross: And I am well aware of that because I had to follow that process when I built my house on Thurston Pond Road okay, and I brought my driveway in off of Thurston Pond Road.

The reason that I didn't seek that and I'm pretty sure the reason I wasn't required to seek that was simply because the road was in a status of being discontinued so therefore, I have the rights to use that and actually, if you look at the survey that's done, 95 percent of that quote, unquote, road is actually on my side of the property line so I'm not doing anything more than accessing the back part of my property utilizing the land that I actually own and not going on anyone else's property.

So, again, that's why I didn't need to get that request. It's a simple request. I understand you guys would rubber stamp it. I understand that completely but the reality is, is it's not necessary from what I know from what I own and that's why I didn't request it and that's why I got the permit and that's why we moved forward.

Chairman Robertson: Thank you for your input.

Further discussion?

**Motion:** Vice Chairman Pitman moves to adjourn

**Second:** Selectman McGarry

**Discussion:**

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

**Next Meeting: Monday, July 19, 2021 at 5:30 pm**

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