

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
August 30, 2021  
MINUTES**

**Call to Order**

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

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

**Absent:** Fred McGarry, Selectman

**Pledge of Allegiance to the Flag**

Chairman Robertson asks all to rise and pledge allegiance to the Flag

Chairman Robertson: Okay, our first agenda item this evening is an appointment with Mr. Ed Cross. I see Mr. Cross is here.

**Ed Cross – Thurston Pond Road.**

Have a few more follow up questions from the meeting last week.

I guess there's um, well, I think first off, I'm, I was hoping to have some paperwork or the email for the paperwork that you were going to send me and I don't think I've received an email, um, in regards to that. If you did, if, if you sent it, I'll look more but I just checked it before coming in. I hadn't received it yet.

Mr. Harrington: I sent it out last wee but I can send it again tonight if you'd like.

Mr. Cross: Sure, and you don't happen to have a hard copy with you ...

Mr. Harrington: I can get you a hard copy.

Mr. Cross: Okay.

Chairman Robertson: Yeah, I had delivered that,

Unknown person: yep.

Chairman Robertson: I think, Wednesday.

Mr. Cross: Um, so I guess, the uh, a couple of questions I have in response to some of your answers and one of them uh, specifically is um, you know the status of that, the land that we're talking about; it's um, you know my paperwork says one thing and you're indicating your paperwork potentially says something else and my question I still have is who owns that land.

I haven't gotten a clear answer yet from that um and then I'm with that being said, I'd like to know so I'd like an answer there.

Um, you know, and I know that your answer was that one of your answers was you weren't doing you, at this time, you weren't going to do the title work to try to figure out some of the stickiness that, I don't know the exact wording that you used with that particular piece of property or with that particular piece of uh, quote-unquote, roadway and that's challenging for me because that's the same answer I got 20 years ago when I asked what's the status of the road and I was told again by the Board or by officials, and I don't remember if it was the Board specifically, to be honest with you but the answer I got was we don't intend to do the work required to really define who actually owns it.

And I know my title work shows that I own it. I know my survey shows that I own it. I know that the work in the paperwork in the office shows that I own it so it's pretty clear to me with that.

And, so if I can get an answer to that question, if you have one.

Chairman Robertson: I don't have definitive proof of ownership beyond, you know, what you've just said. I think the Board of Selectmen is moving forward with the public hearing based on the RSA that allows us to lay out a former Class VI road regardless of ownership.

Mr. Cross: I understand that you have a pathway to acquire certain things in, in re-laying out the road but if I clearly own the land and it's titled, shows that I own the land, then the only path that you have is to take it by eminent domain.

So, you would be taking my land that I own and that particular path has a certain process that needs to be followed so I guess my question is "are you following that process of eminent domain?"

Chairman Robertson: We are following the process as outlined for re-laying out a Class VI road um, on an existing road bed.

Mr. Cross: But, but that's, there's one way to do if you, the town owned that right and it's a totally different way of doing it if I own the land.

One way requires you to take it. The other way allows you to re-lay it out with certain processes so I'm just trying to figure out which one are you doing?

Chairman Robertson: I don't have the specific RSA number in front of me. I believe it is 231:8 and we are following advice of legal counsel for the town.

Mr. Cross: So then, can you also in the paperwork that you're looking to give me, can you indicate specifically the exact RSA that you intend to follow so that I can actually know it for sure and not by what you think or what you understand?

Chairman Robertson: I can certainly give you the exact RSA.

Mr. Cross: And then I guess my other question is, you know, well, one of them is, what is the process going to be so I'm assuming you're going to indicate that by whatever RSA you use will have a certain process that will have to be followed.

Chairman Robertson: Right.

Mr. Cross: Okay. And then I guess my other question would be what other reasons for you taking the land from me if you're going to re-lay it out.

Chairman Robertson: I think, just to preserve the open access of that road. We have town property on that road which obviously, we would have a right-of-way of access to anyway, um, as would other property owners there but um, it's our belief that, that has been considered a Class VI road for two centuries or better and we would like to preserve it and intend to preserve the roadway as a Class VI road.

Mr. Cross: Then again, if you, if you're claiming that particular status, then you're claiming that you own the rights to that and therefore you need to show the, you got to do the title work.

Chairman Robertson: We may have to do the title work. At this point, we have not been advised that we have to. We have been advised to follow the RSA that allows us to re-lay out an existing Class VI roadway or a former Class VI roadway.

Mr. Cross: (talking to unnamed person beside him) We'll wait for the RSA.

Then, we'll wait for the RSA so we have the correct information so I can try to understand what your process is going to be.

Chairman Robertson: I can certainly send you the correct RSA and if I have um, I don't know if I have any other additional information from them, the Municipal Association but they have published things in the past about how you go about, basically reconstituting an abandoned Class VI road and if I have anything along those lines, I'll send them your way as well.

Mr. Cross: Because, I, I believe that the sticky, sticking point is going to be what's the status of the road before you start the process because one part, one way, one status is one way; another status is a different way and I'm just looking to try to figure out which direction you're going because I haven't been able to get a clear answer yet.

Chairman Robertson: Okay. I will get you the specific RSA with the language and I will, it shouldn't take me more than a day to get that for you.

Mr. Cross: All right. Great. Thanks.

Chairman Robertson: Thank you.

**Serita Frey – Conservation Committee:**

Okay, next on the agenda, we have Serita Frey from the Conservation Committee. I'm not seeing Serita here uh, this evening. I don't know if anyone else is representing the Conservation Committee on her stead.

It appears not so I'll move our regular business starting with review of the outstanding minutes of August 23<sup>rd</sup>, 2021.

**Regular Business:**

**Review of Outstanding Minutes of August 23, 2021**

**Motion:** Vice Chairman Pitman moves to approve the minutes of August 23, 2021

**Second:** Selectwoman McHugh

**Discussion:**

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

Chairman Robertson: Okay. Minutes are approved.

**Vouchers/Payroll Manifest/Accounts Payable:**

**Accounts Payable Manifest - \$60,070.99**

**Motion:** Selectman Dill moves to approve the Accounts Payable Manifest in the amount of \$60,070.99

**Second:** Selectwoman McHugh

**Discussion:**

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

**Signatures/Correspondence:**

Chairman Robertson: We've got a couple of items in the Signature File.

The first is a request from the Town Clerk/Tax Collector's Office and this is for a refund request for the first half 2020 tax bill and this was caused by overpayments.

The check is payable to CoreLogic Centralized Refunds as it almost always is and it's in the amount of \$504.00 and uh, she has given us the backup information that shows that the \$504.00 credit is still owed to uh, Mrs. Jessica Daley, 23 Raymond Road, Deerfield, NH.

**Motion:** Vice Chairman Pitman moves to approve the repayment as presented

**Second:** Selectman Dill

**Discussion:**

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

Chairman Robertson: And, we have the 2020 MS-1, Summary Inventory Evaluation which requires us to accept and let me get to the bottom line here.

The historic barn easements. Utilities factored in. Net valuation without utilities, adjusted to remove TIF retained value is \$690,923,903.00.

And our co-op, our utility valuation which is the New Hampshire Electric Co-op and PSNH doing business as Eversource is \$90,175,600.00.

**Motion:** Selectman Dill moves to accept the MS-1 as presented

**Second:** Selectwoman McHugh

**Discussion:**

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

Chairman Robertson: And this will be returned to the Department of Revenue.

Okay, we have a letter that I think everyone saw the email this morning from Mr. George Thompson regarding the outlet of Thurston Pond Road.

Ed Cross He noticed that it appears someone has been putting wood back in the flow way of the dam. Does not appear to be beavers as it looked like a saw had been used on the wood that has been placed in the spillway.

[Ed Cross] Doesn't say who it is. [George Thompson] Also mentions that a trench was dug across Thurston Pond which changes the direction, direction of water draining downhill on that road and sent a picture of that.

I don't know what the Board's ...

Selectman Dill: I guess I missed the wood part of the email. I was just ...

Chairman Robertson: That was a, actually a phone message ...

Selectman Dill: Okay.

Chairman Robertson: we had received um ...

Selectman Dill: I was just on the trench part.

Chairman Robertson: Yeah, um ...

Which this was clearly not done as Mr. Thompson indicates. He checked with our road agent and it wasn't anything the town did. I don't know if we want to send notice to the abutters to please refrain from trenching the road or ...

Selectman Dill: The trench also could be a washout for the rain we've had when I was looking at it. It ...

Chairman Robertson: Um, I, I think, it's no, I, it's pretty clear that somebody had ...

Vice Chairman Pitman: Had help ...

Chairman Robertson: somebody ...

Selectman Dill: Okay.

Chairman Robertson: It may have started as a trickle going that way but someone definitely ...

Selectman Dill: Okay.

Chairman Robertson: made a trench.

Selectman Dill: Like heavy equipment trench or ...

Chairman Robertson: No, no, no. I would say hand shovel um, although I, I would also note that residents of that road have uh, a maintenance agreement um ...

Selectman Dill: I asked John about that ...

Mr. Harrington: I didn't think it included that part of the road. I'd have to check.

Chairman Robertson: I don't know if it is above and beyond the driveway or not. Yeah, you may be right. It means ...

Selectman Dill: I asked John about that because most Class VI's, we have a maintenance agreement on, yeah.

Chairman Robertson: He, John, may well be right. I'll see if I have a copy of that. It may stop at the Adam's driveway but does the Board wish to take any action at this point or ...

Vice Chairman Pitman: See what you can find out, I guess.

Selectman Dill: Yeah, I think we got to look into it.

Chairman Robertson: Let me get a copy of the maintenance agreement. I, I've reviewed it fairly recently so I may have a copy sitting on my desk at home.

And, the other things that we have in Correspondence are "Notice of In-Person" meeting in Barrington. Not sure why they're inviting us to that. It's for uh, something to do with wireless transmission. Probably a tower.

And we have Planning Board minutes.

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

Mr. Harrington: Three items for you this evening.

We finally got a visit from Total Climate Control out of Penacook. They are the vendor that Rymes uses specifically, to get an estimate on the propane heating installation.

That came in at \$5,992.00 and I would like to give permission for Ray to schedule that since that is the only vendor that Rymes will use and they won't fill the propane tank until it's installed by their people.

Chairman Robertson: Is the Board in general agreement that we should move ahead with that?

Selectman Dill: (agreed)

Mr. Harrington: And I would also like to use the funds out of the Building Trust Fund for that installation.

Selectwoman McHugh: This is for the firehouse.

Mr. Harrington: South Station. The installation of the propane heater.

Selectwoman McHugh: And, we have to, we have to use whatever company Rymes says to?

Mr. Harrington: They are the vendor that Rymes uses, yeah, and no other company will install it because Rymes has our propane contract. We've called quite a few other vendors and this ...

Selectwoman McHugh: Doesn't make sense to me.

Mr. Harrington: I understand that but that is what they tell us. We actually get that information from the companies that we call.

Selectwoman McHugh: Okay.

Chairman Robertson: So, are we in general agreement that we should move forward with it?

Selectwoman McHugh: We're going to have to now, at this point. This is, boy, we need to do more research on things when we start projects. I'm sorry.

Selectman Dill: Well, that wasn't a project. That was a bid. You know we got the propane bid ...

Selectwoman McHugh: (couldn't hear)

Selectman Dill: No, I agree that I didn't see that as part of the propane bid that we'd only have one vendor we could go through.

Selectwoman McHugh: Right.

That was not on our propane bid. Their bid was just to deliver propane, not tell us who to use when we have issues.

Selectman Dill: But, if, if we have no other choice, we have no other choice.

Chairman Robertson: Could we get motion, just to make it clear?

Selectman Dill: Did we get an amount on that?

Mr. Harrington: \$5,992.00

Vice Chairman Pitman: So, right now there's no heat in that building.

Mr. Harrington: Correct and the reason we went to propane is because it was suspected of uh, the in-ground tank was uh, past its useful age and the furnace itself was over 40 years old.

**Motion:** Selectman Dill moves to approve Total Climate Control to install the propane heater at South Station for \$5992.00

**Second:** Selectwoman McHugh

**Discussion:**

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

Selectman Dill: And, I think John raises the other important point of why we're going the propane route because it's smart money in the long term here.

Mr. Harrington: Second item. If you probably have all noticed, roadside mowing was completed last week by Seawall. He called me later in the week to tell me that they would be finishing up.

And to get back to the Bord on something brought up by Alden last week on the culvert at the library parking lot, Steve did go and look at that and he is of the thinking that the sinking is not due to the culvert pipe but due to the poor underlayment of the pavement just to the inside towards the wall.

That is what is sinking. The culvert pipe is intact and in good shape and he had two options that the Board could consider. Either pave over the uneven, sunken surface with hot top and level out the area to improve the surface or tear up the entire area, replace the underlayment material and repave which is a much bigger job.

Selectwoman McHugh: Who put that driveway in?

Mr. Harrington: The library parking lot?

Selectwoman McHugh: The fire department's parking lot?

Mr. Harrington: Yeah. Towards the retaining wall, that's I believe what you're talking about. I have no idea. That was not done since I've been here.

Chairman Robertson: Yeah, yeah, I think that was back when Alex was road agent.

Selectwoman McHugh: Who was, uh Alex?

Chairman Robertson: Yeah.

Selectman Dill: Can you just get us an estimate.

Mr. Harrington: Sure.

Selectman Dill: So, we're not shooting blind here?

Chairman Robertson: Yep.

Selectman Dill: And, if we have to tear up the entire thing or can we just tear up from the part that's sinking.

Mr. Harrington: Well, there's two options. He can just tear up the part that is sinking. Remove the underlayment material, put in good material and repave it but he also mentioned that the way the driveway is sloped, specifically right in front of the firehouse, there's a catch basin there that was supposed to remove the water coming off the road.

That has over the years, sunken as well and a puddle forms in front of the fire station that is not supposed to be there. It's supposed to be draining towards the catch basin.

He also put that out there that it might be a job to do both at the same time if you wanted but we could just limit it to the library to fix that portion of the parking lot.

I will have him get estimates for both.

Chairman Robertson: Yeah, I think that will be good.

Selectwoman McHugh: Estimates from outside companies.

Mr. Harrington: Yes.

And that's it for me this evening.

Chairman Robertson: Questions for John?

Selectwoman McHugh: Yeah, um, how are our time sheets looking for the highway guys?

Mr. Harrington: They are still using the original timesheets.

Selectwoman McHugh: That's not acceptable. We asked them to do timesheets before. Are we gonna make them do the timesheets? Ask them to do timesheets? What ...

Chairman Robertson: What, does the Board want to go back to this and tell the road agent that we need detailed timesheets?

Selectman Dill: Pretty sure we voted on it.

Selectwoman McHugh: Yes, they should be told to do them.

Chairman Robertson: All right. I can, I can talk to the road agent and tell him that we expect detailed uh, time cards. I'll dig up the original language from our uh, motion that we used.

Selectman Dill: I mean, even if the road agents opposite on this, the highway employees are town employees.

Chairman Robertson: Yeah.

Selectwoman McHugh: Everybody does timesheets.

And, um, R & D, what the bid for the shoulder material in R & D's contract? Does anybody know?

Mr. Harrington: Yes.

Chairman Robertson: Yes, it was.

Selectwoman McHugh: The material was?

Mr. Harrington: The original bid that was put out by the town was for Griffin Road, Nottingham Road and Parade Road. That included shoulder gravel in the bid.

They told Steve that they were going to hold off till later in the year and come back and do all the shoulder gravel.

In the meantime, the town asked them to do the rest of Parade Road out to 107 and also the t-section that's newly paved at Middle Road and they offered to do the shoulder gravel at that time as well. That was not part of the original bid.

Selectwoman McHugh: We have shoulder gravel that could be used in the pit and they're purchasing it? It's not going to change our price from R & D?

Mr. Harrington: I don't believe we had any option to tell them where to buy the gravel from.

Chairman Robertson: We didn't have shoulder gravel at the time we ...

Mr. Harrington: It wasn't ground at that time. The Board had not approved it.

Selectwoman McHugh: So, we have it now.

Mr. Harrington: We do have up to whatever he ground.

Selectwoman McHugh: I'm just wanted to make sure it's not extra. We're not going to be charged extra for the shoulder gravel when we have it sitting in our town pit.

Vice Chairman Pitman: Well, they did it in the bid so it shouldn't be.

Selectwoman McHugh: Okay.

#### **Unfinished/New/Other Business:**

Selectman Dill: Um, on school pick up and drop off, we've had an officer on detail there a couple times or an officer working traffic a couple of times.

I think, if possible, I'd like to see a town officer down there.

I talked to Zach for a while and he was telling me that the school's hoping to have three more bus drivers online in the next three to four weeks which I think should take some pressure off pick up and drop off.

I mean, I've never driven my kid in but I'm driving my kid in right now because they're going to get picked up at 6:08 am and dropped off at 4:45 pm which is a little ridiculous so I've been dropping off so I think once they get some normal bus routes, that should calm down but I think in the meantime, the overwhelming majority of people in town are driving their kid to school and we'd benefit from having an officer down there as long as they're not doing other things in town.

Chairman Robertson: Yeah, and I don't know what the police chief's response to that will be. I know we've discussed it in the past and he has not wanted to assign an officer on a regular basis. Um, ...

Selectman Dill: I know, I'm just thinking if we're patrolling town roads, the odds of an accident happening on a town road, right now are probably pretty good right there compared to the other town roads.

Chairman Robertson: I don't know. I think the other thing, I believe at least in the last two years, the school board has discussed and I believe they even set aside money for traffic detail but I don't know if that is still ...

Selectman Dill: I know when I, when I asked them about that, they said that they've contacted companies and the problem is there's a minimum, hourly requirement on the, on both sides of it ...

Chairman Robertson: Yeah.

Selectman Dill: so, it's like a four-hour minimum for the morning and a four-hour minimum for the afternoon and it's not feasible monetarily.

Chairman Robertson: Well, I can certainly talk to the police chief, uh and see what his thoughts are.

Selectman Dill: I think it's definitely enhanced safety because right now, I mean, 107 is tied up for an hour and a half; at least on both ends so, and there is a lot of traffic at 7:30 in the morning at 107; school and non-school.

I did also implore to Zach to pass along to the school board that the, um, we got to keep 107 moving. I mean, we just can't have 107 clogged up and stopped from Mr. Mike's all the way up, you know, almost to Mas' every morning with people dropping off.



Selectwoman McHugh: We just don't have the manpower to put somebody out there every morning.

Selectman Dill: Well, what I'm saying is I think we usually have somebody on ...

Selectwoman McHugh: (agreed)

Selectman Dill: And if they're patrolling town, there's no difference in riding around in a cruiser or directing traffic, in my opinion.

Selectwoman McHugh: It's a big difference.

Chairman Robertson: Well, I can certainly, uh revisit it with the police chief and can't guarantee what his response will be but I will talk to him.

Other new or other business?

Hearing none, I would look to citizen's comments at this time.

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

#### **Mr. Cross – Thurston Pond Road:**

Um, specifically speaking about the traffic jam that's every morning dropping kids off, I'm there. My wife's there.

It's dangerous and I am very and my wife had a discussion with the police chief about it and we were both and this was last year when it wasn't even as bad as it is this year, very disheartened with the lack of care for the safety of our streets and specifically for our kids that are getting dropped off and that the parents are going far above and beyond the requirements of the parents when the town has a responsibility to get the kids to school.

All we're asking, they're not paying as much for bussing obviously because there's not enough buses. If you have to pay a little more to the police department, pay a little bit more because I, you can't believe what I see happening when I'm sitting there for 30, 45 minutes trying to get my kid into school and the craziness that's happening with people what are getting frustrated because of the jam up. It's not the parents that are, that are waiting patiently, it's all of the other traffic trying to go up and down 107 at that time in the morning and the same thing in the afternoon.

I was happy to see an officer there this morning on my way out but he wasn't there while I was waiting for 20 minutes to get in so I would suggest that somebody make it a priority of importance for the safety of the citizens of this town that we do something like put an officer there because it went a lot smoother once he was there.

That's all.

Chairman Robertson: Thank you.

Ed Cross – Thurston Pond Road. Forgot to say that ahead.

Selectman Dill: It does help with just, if nothing else, getting back out of the school so they can bring in more cars. It's ...

Selectwoman McHugh: That's true but the school is going to have to pay for a detail to be there whether it be Deerfield; whether it be Candia, a detail rate for somebody to be there.

I mean, I see where you come from. I've dropped my granddaughter off a few times and it's dangerous especially because you can't see around the traffic.

Mr. Cross from the audience: I just wish we would all stop talking dollars and look at safety, okay. It irritates me when the Board talks dollars instead of safety, okay. Sorry.

Chairman Robertson: Other citizen's comments at this time. Hearing none, ...

Vice Chairman Pitman: Whoa, we gotta look.

Chairman Robertson: I'm sorry.

Mrs. Cady

**Harriet Cady – Old Centre Road:**

Just a question? Why can't we use a couple of the auxiliary officers that we could bring in for two hours each end of the day rather than hiring somebody?

They are there. We have these people appointed.

Chairman Robertson: Yep. It's something I plan to discuss with the police chief.

**Erroll Rhodes – Church Street:**

I was part of the scene this morning as well uh and I did see Officer Bernier there later on but it was a long wait. Now one of my questions is, where's the school in this. They're 80 percent of our budget every year that we're paying for. Where are they to step up and say we need to make this better.

I mean, they, you know, I think, I think, I don't know what their restrictions are but they certainly have a responsibility for safety as well as money.

End of comment.

Chairman Robertson: If there are no further citizen's comments ...

**Motion:** Vice Chairman Pitman moves to adjourn at 5:56 pm

**Second:** Selectwoman McHugh

**Discussion:**

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

Chairman Robertson: Have a good evening.

**Next Meeting: Tuesday, September 7, 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*

Final Minutes corrected and approved by Board of Selectmen on 9.7.21