

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
April 10, 2023  
MINUTES**

**Call to Order**

5:30 – Chairman McGarry called the meeting to order

**Present:** Chairman Fred McGarry, Vice Chairman Richard Pitman, Selectman Steve Barry, Selectwoman Cynthia McHugh and Selectman Will Huebner.

**Pledge of Allegiance to the Flag.**

**Reorganization of the Boards:** Chairman McGarry states there are 6 positions to be reorganized; Chairman of the Board, Vice Chairman of the Board, Municipal Budget Committee (MBC), Parks and Recreation Commission, Heritage Commission, and the Planning Board.

Chairman of the Board.

**Motion:** Selectman Huebner makes a motion to nominate Richard Pitman to be the Chairman of the Board for a 1-year term.

**Second:** Selectwoman McHugh

**Discussion:** Vice Chairman Pitman asks Chairman McGarry if he's sure he doesn't want it and Chairman McGarry is sure and maybe next year he'll want to do it again.

**Vote: Yea 4, Nay 0, Abstained 1 - Motion Carries**

Selectman Barry states that he doesn't feel Mr. Pitman should not take this on and that he's not going to vote yes or no so he abstained. Mr. Pitman states, we'll try it.

Vice Chairman of the Board.

**Motion:** Vice Chairman Pitman makes a motion to nominate Fred McGarry as Vice Chairman of the Board.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

Municipal Budget Committee. Selectman Huebner states he would like to represent the Board again for another year.

**Motion:** Selectwoman McHugh makes a motion to nominate Selectman Huebner to represent the Board of Selectman on the MBC.

**Second:** Vice Chairman Pitman

**Discussion:**

Vice Chairman Pitman asks if anyone else would like to hold this position.

Chairman McGarry asks Selectman Barry if he's interested and replies, No sir.

Vice Chairman Pitman asks if the appointments to other committees need to be voted on and it is determined, no.

Chairman McGarry states that Will will take up the MBC again.

Parks and Recreation Commission. Selectman Huebner states that he feels Selectwoman McHugh would be a good representative for this appointment. Vice Chairman Pitman agrees with this. Selectwoman McHugh states she has done this previously and she would okay with doing it again. It's agreed, Selectwoman McHugh will represent the Board on the Parks and Rec Commission.

Heritage Commission. Selectman Barry states he received a phone call asking him to try to be appointed as the representative from the Board to the Heritage Commission and so he would to be the representative. It's agreed, Selectman Barry will represent the Board on the Heritage Commission.

Planning Board. Chairman McGarry states he is willing to continue on as the Boards representative on the Planning Board. Selectman Barry states he nominates Fred McGarry and Selectwoman McHugh seconds this. It's agreed, Chairman McGarry will continue to represent the Board on the Planning Board.

Chairman McGarry and Vice Chairman Pitman move into their new positions. Chairman Pitman and Vice Chairman McGarry.

**Courtney Torre – Lazy Lion – April 2023 Event:** Ms. Torre steps forward to let the Board know that The Lazy Lion will be holding their April Foolishness event on Saturday April 15, 2023 about 9:00am to 11:00am when they open. They have already spoken to the fire chief and received permission to close down their parking lot during the event. She also emailed Chief Duquette to inform the police even though police detail is not required. She explains the event and how it will work.

Selectwoman McHugh believes there was a parking issue one year and wants to be sure the parking will be okay this year. Ms. Torre states that she believes that was the year they didn't have parking signs yet. They are prepared this year with the signs and feels it won't be an issue. They also have signs all along the road warning of runners.

Selectman Huebner asks about insurance for the event in case someone gets hurt. It is explained to him that it's a private event and not a town issue if someone gets hurt.

The Board agrees they are okay with the event being held.

**Pete Schibbelhute – Scenic Roads; 2023 paving proposal:** Mr. Schibbelhute goes over a paving project for South Road to put an inch and half of top down and do the shoulders. He would also like for whomever wins the bid to handle traffic control during the project as well. He then goes over in what order things need to be done in order to fix many roads in Deerfield. The scenic road he feels needs immediate attention is Cole Road and he goes over the steps that need to be taken. They go back to South Road and determine that once the top coat is finished a yellow line will be painted down the middle of the road. He then talks about the massive amount work that needs to be done on the roads in Deerfield and between the budget not being approved but warrant articles being approved there's only so much they can do but they will try to get what they can done and done right.

Vice Chairman McGarry brings up that there is about \$600,000.00 to be spent on roads and Mr.

Schibbelhute states that the work on South Road will take up most of what is in the initial budget of \$257,000.00. They then go over what a top coat is and a tack coat is and the possible costs.

Vice Chairman McGarry brings up Cole Road and asks if that road will be worked on by the town or contracted out. Mr. Schibbelhute replies that a plan would have to be worked out before knowing if they have to go out to bid or not. He explains some pieces could be handled by the town and others might have to go out to bid. Vice Chairman McGarry then asks if they want to have actual construction plans prepared for the work to be done. Mr. Schibbelhute state that they could but it's pretty cut and dry but before anything happens a few test pits need to be done.

Selectwoman McHugh asks if the it's the towns responsibility or home owners' responsibility to fix driveway culverts. Mr. Schibbelhute explains the home owner was a given a driveway permit that didn't say they needed to put a culvert when it should have so it's on the town to put the culvert in. He also explains that the end of the driveway belongs to the town right-of-way.

Chairman Pitman asks Mr. Schibbelhute to provide a list of all the work he's wanting to accomplish this year. Mr. Schibbelhute agrees to create a list and he states that as far as the scenic roads go, he has already started talking to the planning board about trees that will need to come down to do the road work.

Selectman Barry asks for something to be cleared up. He would like to know if Mr. Schibbelhute's status is temporary or permanent. Mr. Schibbelhute states, Mr. Harrington had come to him about becoming a full-time employee but he is not able to do it. He does feel though that he has a very good idea of what needs to done in town for this year and feels he should stick to it as part-time and get it all done.

Selectwoman McHugh states that she thinks Pete is doing a great job but that the town just can't afford to keep him at the rate he's being paid and the amount hours he's been putting in. Mr. Schibbelhute does

explain that his hours will go down with summer arriving and he cares about this town and wants to stay on to get the roads in good shape that will last.

Mr. Schibbelhute then brings up Reservation Road and is curious if it's time to redo the maintenance agreement we have with the town of Nottingham on this road and that he feels it should be relouked at. Chairman Pitman states that Mr. Schibbelhute has a vote of confidence from the Board and to keep plugging away at it.

Mr. Schibbelhute goes over the work being done on the grader by Milton CAT and the cost and lastly confirms that he will get back to the Board with the list they are requesting.

Selectwoman McHugh confirms what work will be done on South Road and Vice Chairman McGarry states he'll help him on the contract for South Road.

## **Regular Business**

### **Review of Outstanding Minutes 3/27/2023:**

**Motion:** Vice Chairman McGarry makes a motion to approve the minutes from 3/27/2023.

**Second:** Selectwoman McHugh

**Discussion:**

Mr. Harrington reminds Chairman Pitman that there are also public hearing minutes from 3/27 as well. Chairman Pitman states they will vote on those next.

**Vote: Yea 4, Nay 0, Abstained 1 - Motion Carries**

**Motion:** Vice Chairman McGarry makes a motion to approve the public hearing minutes from 3/27/2023.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 1 - Motion Carries**

Selectman Barry states he is abstaining from the votes since he was not at the meetings.

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

- Accounts Payable – \$330,130.06

**Motion:** Vice Chairman McGarry makes a motion to approve the accounts payable.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

- Payroll Manifest – No payroll this week.

### **Signatures/Correspondence:**

- Signatures  
-Tax levy. Michael Sharp Enterprises. \$14,783.00.

**Motion:** Vice Chairman McGarry makes a motion to collect the tax levy.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

-Intent to Cut Timber. Diane Stevens. Brown Road. Will be cut by Wes Rose of Contoocook, NH. 15 acres of 188 acres to be cut.

-Total Disability Veterans Tax Credit. Even Webster. 329 Currier Road. For \$4,000.

**Motion:** Vice Chairman McGarry makes a motion to approve the veteran's tax credit of \$4,000.00.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

-Veteran's tax Credit. Mason Dupree and Pamela Murphy. 12 Church Street. For \$750.00.

**Motion:** Vice Chairman McGarry makes a motion to approve the veteran's tax credit of \$750.00.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

-Veteran's Tax Credit. Douglas Boutwell. 208 Nottingham Road. For \$750.00.

**Motion:** Selectman Barry makes a motion to approve the veteran's tax credit of \$750.00.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

-Oath of Office for the Heritage Commission; Dana Van Der Bijl, Andrew Merrill, Karen Leavitt and James Deely.

**Motion:** Vice Chairman McGarry makes a motion to approve the four new members of the Heritage Commission.

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

Selectman Huebner asks if there is any requirement for the members to show the chairman proof that they have taken their oath. Mr. Harrington states, not for elected officials and these are appointments. Selectman Huebner then asks how they would know they've been taken or not taken. Mr. Harrington suggests that if it hasn't been taken, they would probably be alerted by the Town Clerk.

-Deposit Authority for the newly elected Town Treasurer, Joanna Waring.

**Motion:** Selectman Barry makes a motion to approve deposit authority for Joanna Waring.

**Second:** Selectman Huebner

**Discussion:**

Mr. Harrington clarifies that it's a deposit authority that Joanna Waring is offering for the Town Clerk and Deputy Town Clerk. Ms. Waring is approving it and the Board needs to approve that appointment. Chairman Pitman asks, even if this says Town Treasurer and Mr. Harrington states that, yes. She's allowing them to do deposits on her behalf. Selectman Huebner then asks if the Board need to approve Joanna to have signature authority for the Town as treasurer. Mr. Harrington explains that the document that they are looking at right now is for deposit authority to the Town Clerk and Deputy Town Clerk from the treasurer. Selectman Huebner clarifies his question by stating, as a new person as treasurer, Joanna, does she also need approval. John Harrington states that that is her document and she has signed it. Selectman Huebner states, I

suppose she has automatic approval since she's been elected to that job and Mr. Harrington states, yes, she's already sworn in and done her oath.

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

-Oath of office for Town Treasurer, Joanna Waring.

**Motion:** Vice Chairman McGarry makes a motion to approve Joanna Waring's Oath as Town Treasurer.

**Second:** Selectman Huebner

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

-Appointment to Trustees of the Trust Funds. ~~William~~ Leah McHugh.

**Motion:** Vice Chairman McGarry makes a motion to approve ~~William~~ Leah McHugh's appointment to the Trustees of the Trust Funds.

**Second:** Selectman Barry

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 1 - Motion Carries**

- Correspondence –  
Resignation Letter. Chairman Pitman reads Ms. Joanna Waring's resignation letter to resign from the Trustees of the Trust Funds as of April 3, 2023 due to the fact that she is now the Town Treasurer and has taken the oath and been sworn into the office.

Resignation Letter. Chairman Pitman has Vice Chairman McGarry read Eric Minard's resignation letter to resign as Director of the Parks and Recreation Department. His last day will April 21, 2023.

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

John Harrington states he has 3 items tonight.

1. He's getting back to the Board to let them know the water treatment system that was installed a few weeks back has been finished, it's up and running and is working well.
2. Mr. Harrington wants to remind everyone that all the Town RFPs have been posted except paving because Mr. Schibbelhute wanted to wait and talk to the Board, tonight at this meeting, before posting Highways RFPs. Now that he has, they will be posted tomorrow. He then states the posting includes all the mowing and fuel bids and they're due by 4/19/2023 at 2:00pm and then the bids will be open at the following meeting on 4/24/2023.
3. Lastly, he points out that all of the Board has a copy of the warrant article that was passed recently. Warrant article 19 on the conflict-of-interest policy. He provided a copy for everyone to review.

Selectman Barry asks if it's okay to bring up the conflict-of-interest policy and Chairman Pitman states, yes. Selectman Barry points out that it passed by many votes and he's never been a fan of one of these but since so many people voted for it the Board needs to do it. He suggests that they ask the lawyer, town counsel, to give the Board a draft policy. He would also like to know if the Board would agree to include an arbitrator. Example, if Mr. Barry has a conflict with someone else it should go to an arbitrator. He suggests the Town Moderator as the arbitrator of these things. Chairman Pitman feels the attorney part of it is great because he doesn't feel anyone on the Board is a position to write this policy. Vice Chairman McGarry agrees. Chairman Pitman asks Mr. Harrington to contact the lawyers about this and Mr. Harrington agrees to do so. Selectwoman McHugh asks if it will include Selectman Barry's suggestion

of the arbitrator. Mr. Harrington stated he would like to reach out to the Town Moderator first before adding that to the policy and states he will reach out to them as well. Chairman Pitman asks Mr. Harrington to also reach out to the police chief about possibly being the arbitrator and Mr. Harrington agrees to do so. Selectman Barry points out that the Town Moderator is basically the judge of how meetings will be held and such and the police chief is the police chief. He states he suggested the town moderator is because he's usually the most up to date on RSA's and rules and regulations and it would be a simple thing were he to agree to do it. Chairman Pitman states, okay, we'll get started with the legal part.

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

Selectman Barry states he received a call from a resident about Bicentennial Field and the number of ash trees that are about to fall. With playing season about to start he would like to see the Town get this taken care of and possibly using the Parks and Recreation warrant for ball fields to pay for it. He really feels it needs to be looked at and completed as quickly as possible so young people or their families won't be hurt by falling trees. Chairman Pitman asks if Mr. Harrington's got that and Mr. Harrington states that he will get right on that. Selectman Barry states that a resident in town, Jared Messina, is willing to work the town to make this happen.

### **Non-Public Session**

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

- Kevin Verville. McCarron Road. MR. Verville states he has 3 items to go over. First, he goes over his understanding that the town had commissioned Southern New Hampshire planning to do a study and provide a list of roads in the order they should be fixed and he encourages the Select Board to go back and look at this. Secondly, he urges extreme caution when developing a conflict-of-interest policy because the last thing any community needs is a poorly written policy. He reiterates caution in making sure it's a very good policy. He then goes on to state that they need to be careful about an arbitrator and they might to make it a three-person panel with that has no affiliation or an ax to grind and at the end of the day if an agreement is not found it goes to superior court and that gets expensive and he feels no one wants to down that path. Lastly, he wants to provide a retrospective on budgeting. He hands out a print out of previous budgets to the Board. He then goes on to explain that with the warrant articles the people are voting to spend money. He feels the town operating budget should a bare bones budget for basic operations and then the rest should come from warrant articles. He feels they should try a tactic when coming up with the budget.
- Pete Schibbelhute. He explains that the study done by the Southern New Hampshire Planning Commission is about 5 years old now and in that 5-years' time some roads have gotten worse and are now considered to be top priority. He does state that he will still use their study while creating his list of roads from top priority down.
- Nancy Shute. Pleasant Hill Road. She states that if a Select Board member states publicly that a department should make cuts or it should be self-funding, they should know what's in the budget. She states that recently on Facebook a comment was made by Selectman Huebner about the Parks and rec budget. She then reads the Facebook post, "I believe we should have Parks and Rec collect a portion of their expenses from those who benefit from the programs. I am all for programs but not fully funded by tax dollars. Many other communities have a fee structure to partially offset expenses." She explains that she's not on the committee but her husband has been for over 30 years so she has an understanding of how parks and rec works. She states that the only thing in the parks and rec budget is the director's salary and half of the assistant director's salary. All other costs are covered by participants of programs such as sport programs, summer camp and the after-school program and that includes all the salaries for all the

counselors. She continues by saying the programs also pay for Old Home which they lose money on every year but they chose to keep offering it because they feel it's an important community event. She goes on to say that parks and rec has used the programs money to help pay for the heating system and they will be paying for doors for their area as well. Lastly, she reiterates to that before you make comments you should understand it first.

- Erroll Rhodes. Church Street. Mr. Rhodes states that the conflict-of-interest warrant article speaks of an ordinance not of a policy. He states he not sure there is a need for an arbitrator because he doesn't want to see it lead to an ethics panel. He reiterates it's really an ordinance not a policy.
- Harriet Cady. She states that the roads issue goes on year after year with no making a priority list. She goes on to say that she knows the Southern New Hampshire Planning Commission made a list but it has not been adhered to or used. She then states she would like to know if the Town has quick claim deeds to properties, they put culverts on and so forth. She then goes on to say that she's glad we will be using in town contractors for work on the roads but she feels they need to be bonded. She then speaks to the conflict-of-interest policy and she feels it could be handled. She feels it needs to be shown that there is true impartiality when it comes to having an arbitrator. Lastly, she speaks about how unhappy she is with Parks and recreation because she feels they do nothing for senior citizens.

Selectman Barry asks about the time limit for citizens to speak. He states, this is the first time he's seen happen and is curious if this is something due to the high numbers of citizens wanting to comment. Vice Chairman McGarry stated that they started giving citizens 3 to 5 minutes to speak.

#### **Adjournment**

**Motion:** Vice Chairman McGarry makes a motion to adjourn.

**Second:** Selectman Huebner

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 - Motion Carries**

**Next Meeting: April 24, 2023 at 5:30 pm**

*The Minutes were transcribed and respectfully submitted by Randi Long, Recording Secretary  
Pending approval by the Board of Selectmen*

*Corrected minutes as approved by the Board of Selectmen on 4.24.23.  
Submitted by John Harrington*