

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
May 15, 2023
MINUTES**

Call to Order

5:30 – Chairman Pitman called the meeting to order

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

Pledge of Allegiance to the Flag.

2023 Tax Warrant

Motion: Selectman Barry makes a motion to approve the 2023 tax warrant.

Second: Selectwoman McHugh

Discussion:

Selectman Huebner explains what the tax warrant is.

Chairman Pitman states that they are instructed by the state to collect \$7,008,457.00 in taxes.

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

Reconsideration of South Road Striping

Motion: Selectman Huebner makes a motion to reconsider the striping of South Road with discussion and a revote.

Second: Selectman Barry

Discussion:

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

Chairman Pitman states that they have received multiple letters and phone calls from citizens that are not in favor of striping the road.

Selectman Barry asks the Chairman if they can ask the audience if there is anyone that would like to speak to it. Chairman Pitman opens it up to the audience.

Kimberly Black. Meetinghouse Hill Road. Ms. Black reminds the Board that it was already votes on to have South Road striped prior to the warrant article and that the warrant article was just advisory to the Town to let everyone in Town know this would be completed. She feels this should not be under consideration again because of the warrant article. She finds it hard to believe that people may be thinking aesthetically pleasing over safety. She has additional signatures from people that are in favor of the striping, not only on South Road but also around Town on other larger busier roads. She feels the larger roads are getting more and more dangerous and the Town really needs to stripe these roads.

Paul O'Brien. South Road. Mr. O'Brien's house is located along the straightaway on South Road and he feels it has become a race track along this straightaway and it has become more and more unsafe. He speaks about the recent accident where a mother and her two children were out walking and hit by car. He understands that Deerfield police do not have enough staff to patrol the road all day every day and things are going to happen but if there was a stripe, they would have more of an ability enforce traffic violations. He explains that his wife had called the police before when she was passed by a car on a turn while driving on South Road and she was told, sorry, it's not illegal since there's no stripe. He states that he's even nervous mowing his lawn near the edge of the road with people going fast and the stripe would be very helpful.

Ray Ellis. South Road. Mr. Ellis states he's against the striping of South Road for many reasons. One reason is the MUTCD guidelines show that we cannot do it but that the BOS can override this. He then states that due to striping the road the town would no longer be eligible for federal money to aid in the roads. He also says it cost \$4,000.00 every year and he's never seen a piece of paint stop a car. He does agree that people drive crazy on South Road and doesn't want to down play that but he doesn't feel the stripe will make a difference. He feels it will increase speed even more making it more like a highway rather than a thruway. He feels a police presence would be better but understands that there are only so many officers in town and it's a big town with 109 miles of road. He feels that if we are going to do it, it needs to be legally and correctly. Mr. Ellis then reminds the Board that they had said previously to him that if it could be done in the next few weeks go ahead and get it done and those 2 weeks are long gone and he's not sure how it can be brought back up again.

Barry Brown. Middle Road. Mr. Brown states that he uses South Road every day. He goes on to say he's a retired police officer and his expertise was accident reconstruction and traffic control, selective traffic control. He tells the Board that 85% of people drive at a safe speed according to the conditions of the road and 15% are speeders. When the road was in poor condition people drove below the speed limit and now with the road being in better condition people are able to drive the speed limit safely so it is faster than it used to be because the road is better. He does not feel the stripe is needed. He feels the police can handle the speeders and there will always be 15% speeders. The police could work with the citizens that are calling in the complaints because sometimes there are specific speeders, persistent speeders and the citizens could describe the speeding vehicle to the police so they are aware. It doesn't take long after this for police to use radar to stop the problem or slow it down to make the road safer.

Frank Diaz. South Road. Mr. Diaz asks if Selectman Huebner has reversed his decision and Selectman Huebner states that he will decide that after the discussion they have. Mr. Diaz goes on to speak about how bad the speeding is on South Road. He also explains on that on the straightaway where he lives, he watches people passing. He explains that the drivers see the straightaway and they hit it. He goes on to say that people have died on this stretch of road due to unsafe driving. He feels the town does not have enough money to have more than one, maybe two policemen patrolling every day but he also feels the patrolling comes and goes. You'll see the police for a few weeks after an incident and then they are gone. He is for having the road striped and doesn't care what it looks like. He feels with a line down the road it will make drivers more continuous. He feels on South Road through Allenstown you'll see a police presence and people know not to speed on that stretch. The road is a thruway and he adds that he doesn't feel its residence speeding but commuters. He feels the line is a good visual reminder and it will slow the rate of passing which will make it safer.

Susan Lapointe. South Road. Ms. Lapointe states that she is against the yellow line because she doesn't feel it will make much of a difference. She goes talk about an accident in Pelham, NH that recently happened and how the road being lined didn't stop a driver from trying to pass and another one in Hampstead, NH. She feels with the road improvements the accidents have gone down. Lastly, Ms. Lapointe brings up the BOS meeting from 11/21/2022 when the Board passed the motion to have a yellow painted if it's under \$4,000.00 and no further meetings are needed but the yellow line would need to be completed by the end of 2022. She then goes on to talk about the warrant article about lines being painted on secondary roads in Deerfield and how it failed. This shows that the motion from November is null and void because it's 2023 now and the warrant article was voted down. She truly feels a yellow line will not make a difference but a police presence every so often would make difference though.

Gary Sanborn. Middle Road. Mr. Sanborn explains how he's been plowing in Deerfield for 25 years and a yellow line would greatly enhancement for the safety of a plow truck and others on the road. If someone tried to pass a plow it can cause all sorts of accidents or problems. He knows the line will not slow people down but there's a camera in the trucks and can catch a person passing and he can then provide that to the police and they can ticket the person and the more this happens the less the passing will occur. The yellow line allows the police to enforce no passing. He then brings up putting a line on the road last year but states it couldn't have been done because there's only base coat on the road. There has to be top coat. So, they could have said it but it couldn't be done since the top coat isn't going down until this

summer. He feels South Road is a good practice road to try striping on. It doesn't have to be painted every year. He feels it's a small investment for the safety of the community and it's well worth doing.

Susan Lapointe. South Road. Ms. Lapointe feels that when you are plowing you can't see it anyway so there's no need for the line.

Gary Sanborn. Middle Road. Mr. Sanborn explains the process of plowing and making the lines visible. They find first thing every time.

Marlene O'Brien. South Road. Ms. O'Brien explains that she drives the speed limit on South Road at all times and she has been passed numerous times on South Road. She goes on to say that she has called the police numerous times and every time it's the same answer, it's not illegal, it wasn't unsafe. She feels that it is unsafe because they are speeding to pass. She feels that the line will not stop everyone but it will stop some people from passing and that's valuable enough for \$4,000.00 and the safety of the people in town. There will always be some people that don't want it but for the safety of the people it should be there. She states that her and her husband stopped walking her road long ago because one time her and her husband had to jump into the bushes to not get hit by a passing box truck. She feels we should try it and see if it has a good effect.

Barry Brown. Middle Road. Mr. Brown explains that dispatchers should not be making decisions concerning safety on the road but they do. These issues need to be given to the police department to determine the unsafe areas and what to do about it. He goes on to talk about an experience he had when calling the dispatcher to let the police know about a huge hole in the road that would cause damage to any vehicle that drove through it or even bodily damage. He continues by saying the dispatcher gave him hard time and asking him if he had called the highway department yet. She didn't address the issue. The police should be determining whether or not there is a hazard and they should have all knowledge of all complaints pertaining to speeders. He knows it's not a big police department in town but he feels they could find some time to use their radar and you will see the speeders that everyone complains about slow down or get arrested and slow down. He knows using radar works from personal experience.

Selectman Huebner starts by saying that the Board is concerned about safety on the roads and he feels it's been demonstrated clearly that there is a problem on South Road and they will not deny that. He goes on to say that there is speeding all over town. He asks, how do we address it? He talks about how they have toyed with the idea of a single strip. He reminds everyone that he originally voted for it and goes on to explain why. It was because of the accident with the mother and her children but they haven't received a report from the police as to why this occurred. Whether it was speeding or something else. He then brings up his problem with the yellow line, to answer the gentleman's question from earlier, is that it doesn't prevent anything with in the municipal uniform traffic devices registry. He doesn't feel people know what a single yellow line down the center of a country road means. He feels people will be confused by it because it's not a double yellow line and you find double yellow lines on state roads and those are wider roads than our town roads. He goes to explain what he believes about state roads and municipal codes say roads are needing to be a certain width for it to be striped and white lines need to be on either side of the road as well. He goes to say that three letters against the striping were sent to the Board. He feels the single yellow line has no meaning. He then continues with that with a single yellow line the people in the Concord thing have no jurisdiction over us per se so we have the authority to do what we want in our town but he feels that if we do just a single yellow line it would cause issues because if there was an accident, lawyers could say that the road was not marked according to standards. He reiterates that he feels it's confusing and the town will be sued if an accident occurs. Selectman Huebner brings up his next point that if South Road is striped then they are duty bound to stripe the rest of the roads in town. He states that you have to do a consistent marking of all the roads in order to maintain the liability to the town. He feels that most people understand the biggest two problems on South Road are speeding and illegal passes. He explains that when a school is passed on our country roads it's not illegal and the police are correct in saying this. He states doesn't like this answer. He goes on to say that it is legal to pass a slow-moving vehicle on our country roads if it is safe to do so. If you're speeding to pass it is unsafe and illegal. This is reckless driving and the police can do something about that. He acknowledges the problem but doesn't feel the root cause of the problem is being addressed and those things are

speeding and reckless driving. He feels these are two things our police department should be addressing. He continues by saying the 5 members of the BOS are responsible to the citizens for this police department. The police department works for the BOS and they can ask them to have more patrols and more emphasis on certain areas of town where problems are known. He reminds everyone that they asked for this back in the fall and states they can ask for this again. He feels that we need driver education and enforcement targeted. Per Mr. Brown they know targeted enforcement works. In the end he feels the targeted enforcement is the most productive way and not a single yellow line down the middle of the road. He wants the speeding addressed issue and feels it's probably mostly people outside of the community or young folks that haven't learned their lesson yet that are doing the speeding. He reiterates to Mr. Diaz that he is very concerned about safety but those are the reasons he's now against the line. He wants to make sure they do something effective to increase the safety of the town. He reiterates that a single yellow line is ineffective and it opens up the town to liabilities and problems and we'll end up with lots of yellow lines that are confusing and need to be painted year after year. He knows not everyone will agree with him on objecting to the yellow line and he upstands that but it's his decision and that's why it was brought back up. He feels it was a decision made without having all the information and consideration that they should have had at the time.

Selectwoman McHugh states that she is now for the yellow line. She was against it in the beginning because it wasn't wide enough and she did ask those questions and at the time the interim road agent had said, no, it doesn't have to be, you can drive a 16-foot truck in an 11-foot lane but now it's an issue. She feels if they put a yellow line on the road, it won't stop everyone, but with the line, even if it stops just one person from passing another, that makes it worth it. People will think twice before passing someone going the speed limit and now you have two people going the speed limit and that's worth it. She states, let people be confused. She also states that every road does not need to be done. She brings up the Road Agents Hard Road Traveled RSA and how it states they can decide this. They can decide with the road agent which roads are safety issues and need these stripes. She then reminds the BOS of what Mr. Sanborn said about not needing to stripe the road every single year. She also says that \$4,000.00 to save a couple more accidents, is worth it.

Selectman Barry states that he wasn't here when the original decision was made but he understands that some money was encumbered to do this once the top coat was complete and Vice Chairman McGarry confirms. He explains that he drives all over New England for a living and something he's noticed is that driving around Deerfield in a tractor trailer on a road that is 18 inches wider than his truck, the white line helps guide him, but on Stage Road, coming into town, he has been passed where it's a double yellow line because he was doing the speed limit and they wanted to go faster. He feels a line down the middle of South Road is a feel-good thing unless it's done correctly with yellow lines down the middle and white lines on the side. He states that he agrees with Selectman Huebner that the problem is with the 15% of people who are speeding. He reiterates that he drives right around the speed limit in town and people line up behind and people pass him. He doesn't feel lines mean anything to the speeders. He restates that he feels the line on South Road is a feel-good gesture. He feels more directed police patrols would work better. He explains that he goes to work in the middle of the night and that between his house and the top of North Road and the parking lot across the street that he will see a cop on the side of the road. He feels if this was more common on South Road it would help. He asks about police grants years for directed enforcement projects. Vice Chairman McGarry confirms. He would like to know if there are any grants around today for this and he would like know if they could ask the police chief to make a presence known on South Road. He brings up the point though that are many other roads in town that people are disregarding general safety.

Vice Chairman McGarry explains that the reason the Board undertook the striping was because of the complaint they received by one of the school bus drivers about cars passing them and the police Chiefs response was that he could not enforce anything other than speeding because there are no lines present. He goes to explain the Southern New Hampshire Planning Commission (SNHPC) has done some traffic counts on South Road, and to confirm some of the statements regarding speeding, and there were vehicles going in excess of 60 and in some instances 70 miles an hour on portions of South Road. He brings up the mention of the manual of uniform traffic devices and states that he reviewed it and that the manual is specifically directed to DOT and that if you have traffic excess of 3,000 cars per day you

shall put in striped lines. It's not an option for DOT. He states that Selectwoman McHugh is correct that as the Board of Selectman they can chose which roads need striping and if we stripe one road, we have to stripe them all. From town standpoint South Road has a high traffic count, could be close to what the state highway is and from that standpoint, they, as the Board of Selectman, can make the decision to stripe a section of or the entirety of South Road. The town worked with the SNHPC and they recommended that the town striping for Church Street because of the 25 mile an hour speed limit and because the road is fairly wide. In the literature it explained that by putting striped lines down you tend to slow people down. Not all people will slow down but many do. He feels that from the standpoint of the police they will be to enforce no passing because of the lines. The only concern he has is that a single yellow line does not meet the requirement for legal enforcement and they should really be looking at a double yellow solid line. He references the manual and that he could not find anything on a single solid yellow line. He goes on to talk about back to when he got his license in Massachusetts and reading the manual and it stating that with a solid line you can't pass but a double yellow line you treat as a median, he could not find any reference like this in the current NH drivers manual. In the end he feels they should be looking at a double solid yellow line which would double the cost.

Chairman Pitman asks for the motion to be repeated.

Selectman Huebner asks if they can continue the discussion and Chairman Pitman agrees. He goes on to speak about the MUTCD and that it states that a single yellow solid line not be used on a two-way roadway. He then states that he agrees with Vice Chairman McGarry in that it should be a double yellow solid line if the road were to be striped. He feels that if they were to put a double yellow solid line the, legally, the road needs to be 18 feet wide with a white stripe down either side. He states he doesn't care if there's a line or not but if they are kidding themselves to think this is how to solve the problem. He wants to see the police enforce the speeding on South Road. He wants to see them with extra patrols and he wants to see speeders stopped and given tickets. He wants to see 9 out of 10 stops result in a ticket. He states that he was told as of right now 9 out of 10 stops are just warnings. He wants to see 50% percent ticketing and he wants drivers to know this and that they will get a \$200.00 ticket for speeding down South Road. In the end he feels that doing a feel-good thing, as Selectman Barry said, is not sufficient and he wants to see the real solution put in place.

Selectman Barry states that he does feel a single yellow line is a feel-good thing and instead he would like to do an experiment by putting a double yellow line down South Road with the white lines down the sides and see if it actually helps. He states that if they are going to do it, do it completely as an experiment to see if it does slow people down and keeps people from passing. He knows it will be money but he feels a single yellow line, in his opinion, is not a solution.

Selectwoman McHugh says that's she's not saying a single double line is the solution but it's going to slow some of it down. She makes the point that the road isn't wide enough to do all the lining.

Selectman Barry asks if he can ask the road agent how long the single line is that they had decided to do previously and Selectwoman McHugh states she thinks the new paved portion. Mr. Schibbelhute, the road agent, states that he was not road agent at the time of decision but explains that the section they putting the top coat on is 8,000 ft. long so they will be looking at about 3 or 4 miles of striping to double what they have. Selectman Barry then asks if they could do a compromise and instead of a single lining 8,000 ft. that they double yellow line only the straightaways as an experiment to see if this will help. Take the money they have the sections that are common problems.

Chairman Pitman asks Mr. Schibbelhute when they the top coat will be done and Mr. Schibbelhute replies that the paving bids will come in on the 18th and they will be opened the following Monday for a decision to be made by the Board. Once the decision is made, he can ask the company who is awarded the bid when they will do it. He says there are a few to fix before it gets done but as soon as they having the paving number, they can move forward with figuring out when.

Selectwoman McHugh asks if the counter they put on the road detects speed. Vice Chairman Pitman states that you have to have 2 tubes, one to count, one to detect speed. She asks about getting one of

these on South Road and Selectman Barry does not feel we need this to know people are speeding on South Road. Selectwoman McHugh states that she just wants to help with getting the lining by asking that and then also suggest the flashing signs that tell drivers their speed.

Motion: Selectman Huebner makes a motion to reverse the decision on a single yellow line and, instead, to rely on the police departments and to have the police chief come in to specifically ask him increase the presence of police on South Road and to issue a great percentage of tickets until the problem on South Road is brought under control for the town.

Second: Selectman Barry

Discussion:

Selectman Barry reminds the Board that a motion has already been made to reconsider the lining. John Harrington states that a motion was made and passed 5,0,0 for the reconsideration of the single yellow striping. Vice Chairman McGarry states that this is correct and that it's like the previous vote from November doesn't exist and that's why they have held all this discussion. Selectman Barry asks what Selectman Huebner's motion was and he reiterates it's to not have a line and to require the police chief come in so they can ask him to have a higher police presences and percentage of ticketing on South Road and then report the progress back to the citizens. He adds to include illegal passing or dangerous passing. He feels the line will delay progress and the real job of having more enforcement from the police department. Chairman Pitman states he does not see a second. Selectman Barry seconds at this time. Chairman Pitman asks Selectman Barry if he wanted to add his recommendation and Selectman Barry replies that that would come after this vote. Selectman Huebner then states that if this motion fails he would then make a motion for a trial run of double striping as Selectman Barry suggested but to also still ask the police chief to increase the police presence and percentage of ticketing. Selectman Barry states he feels you muddy the waters by combining the two things and it should be yes or no on striping and a motion looking for a police presence. Selectman Huebner says he can make a separate motion. Selectman Barry withdraws his second and Selectman Huebner withdraws his two-part motion.

Motion withdrawn.

Chairman Pitman acknowledges that are back to nothing.

Motion: Selectman Huebner makes a motion to not stripe South Road.

Second: Selectman Barry

Discussion:

Vote: Yea 2, Nay 3, Abstained 0 - Motion Carries

Motion: Selectman Huebner makes a motion that they address the speeding issue on South Road by informing the police chief that they want him to have an increased police presence higher incidence of tickets issued to speeders on South Road as a targeted enforcement area.

Second:

Discussion:

Chairman Pitman asks if a motion is needed for this and Selectwoman McHugh states that they can just ask him to come in. Selectman Barry says to put that to the police chief that the BOS is requesting his presence. Mr. Harrington asks if there is a second and Selectman Barry and Chairman Pitman state, no.

No vote taken.

Motion: Vice Chairman McGarry makes a motion to double stripe the 3 straightaways on South Road with signage reading, no passing zone.

Second: Selectwoman McHugh

Discussion:

John Harrington confirms that the double yellow line will be down the straight section by Dodge Farm, the straight section just before Deerfield Leathers, and the straight section from 43 to Gary Sanborn's house and Vice Chairman McGarry says, yes.

Selectman Huebner feels that if this happens, they should add signs that say no passing zone along the areas of double yellow lines according to the municipal roadway act which would be at the begging of each section in both directions. Vice Chairman McGarry states he's willing to add this to his motion and selectman Barry as second is okay with the change. Selectman Barry asks how much was encumbered for this project previously and he is told, about \$4,000.00. John Harrington states it may not be enough for this project. Vice Chairman McGarry states the rest will have to be taken out of the highway budget. Selectman Barry reiterates that he feels this is a good experiment and if works maybe they can find money to do the rest of the road.

Chairman Pitman asks Mr. Schibbelhute if all the locations are part of the overlay project coming up. Mr. Schibbelhute says he'll make it. Get the locations to Mr. Harrington and he will measure them out and make it work. Selectwoman McHugh asks if those the spots being overlaid. Mr. Schibbelhute states that the front end by rt. 43 is, Dodge's Farm is not and Deerfield Leathers is. He goes over where he'll measure from and to and then will total it up and then states they can encumber some money from the warrant article for the difference.

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

Selectwoman McHugh asks if they could talk about buying a sign that flashes and shows people their speed and Selectman Huebner replies that he thought they had already talked about using some ARPA funds to buy one like Candia has. Selectman Barry states that they had one years ago and they put it all over town and he doesn't think it did anything to change anything.

Regular Business

Review of Outstanding Minutes 5/8/2023:

Motion: Selectman Barry makes a motion to approve the minutes as written.

Second: Selectwoman McHugh

Discussion:

Selectman Barry has a correction as well as Selectman Huebner. Selectman Barry states that on page 7 line 27 the word discontinue needs to be changed to continue. Selectman Huebner would like to have added to the minutes that Selectwoman McHugh brought up about being concerned with the full liquor license because of there being children present in parks and rec near the bathrooms and she doesn't feel it's appropriate to have drunk people walking down to the bathrooms in front of children. Selectman Huebner shares this concern with Selectwoman McHugh. Mr. Harrington will have the minutes the amended.

Chairman Pitman asks for a vote on the amended minutes.

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

New Draft of the YMCA agreement presented for summer camp in Deerfield with an updated procedure per Vice Chairman McGarry's request. There is nothing to sign as the agreement was already signed, this is just the updated version. Selectman Huebner states that they all received this via email and have been able to review it and he has one comment that came from a citizen. The comment was also sent to the entire Board via email. Mr. Harrington clarifies that Selectman Huebner is referring to the Conflict-of-Interest Ordinance and they are not on this topic at this time.

Vouchers/Payroll Manifest/Accounts Payable Manifest:

- Payroll Manifest - \$77,430.01 gross. \$49,920.57 net.

Motion: Selectman Barry makes a motion to approve the payroll manifest for gross \$77,430.01 and net \$49,920.57.

Second: Selectwoman McHugh

Discussion:

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

- Accounts Payable - \$79,246.44

Motion: Selectman Barry makes a motion to approve the accounts payable manifest for \$79,246.44.

Second: Vice Chairman McGarry

Discussion:

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

Signatures/Correspondence:

- Signatures
 - Conflict-of-interest Ordinance updated draft including the comments that were requested last week. Mr. Harrington emailed the updated draft to the Board to review and he states that if they want to approve that version they can and an email was also sent, from a citizen, about the Conflict-of-Interest Ordinance and if they want to address any of the issues or concerns that came in this email they can. In the end, they have not voted on a final version of the ordinance. Chairman Pitman asks if the town council is still against the Board doing this and Mr. Harrington states that he hasn't asked him since he said he didn't recommend it but they prepared one for you because that is what the Board wanted. Selectman Barry states that the Board has since found out that they do not have the authority to enact an ordinance. It has to be put on the ballot and be voted on. Chairman Pitman agrees and asks if it would be put on the ballot next March and Mr. Harrington says correct. Selectman Barry then suggests that they take the new draft and consider it and talk about it next Monday. Chairman Pitman agrees because they will have longer to consider it and they can then have a copy in front of them. Selectman Huebner then states that there are additional comments they have from a citizen they received and that if they do decide to change anything based on these comments the lawyer should also look at it before it's voted on. The topic is tabled to the next meeting.
 - Intent to Cut. South Road. 55-acre lot. 30 acres to be cut. Susan M. Reed.
 - Intent to Cut. Saddleback Mountain Road. 171-acre lot. 60 acres to be cut. William A. Day Jr. and Sons will be doing the cut. They are at 28 Wild Turkey Lane.
 - Timber cut tax. \$138.17. Diane M. Stevens.

Motion: Selectman Barry makes a motion to collect the timber cut tax levy of \$1,200.53.

Second: Selectwoman McHugh

Discussion:

Mr. Harrington asks Chairman Pitman to look at different page as the amount is different.

Chairman Pitman looks and sees that the tax levy should be for \$1,200.53.

Selectman Barry amends his motion as well does the second.

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

-Land Use Change Tax (LUCT) recommendation from the town assessor, Even Roberge, to collect \$1,300.00 which is 10% of the market value, \$130,000.00, for the 6.4998 acres from Ruthanne Durgin at 228a Raymond Road.

Motion: Selectman Barry makes a motion to collect the LUCT of \$1,300.00 from Ruthanne Durgin at 228a Raymond Road.

Second: Vice Chairman McGarry

Discussion:

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

-Current Use Application. 51 Church Street LLC. Being brought back up as it was tabled from a previous meeting due to questions about the acreage in current use currently. Per the town assessor the taxpayer meets all the statutory requirements to qualify for current use. 7.13 acres from a lot line adjustment.

Selectman Huebner reiterates that is from 2 meetings ago and the citizen was asking to combine 7 odd acres with a small 1 ½ acres to make it a 10-acre current use. Mr. Harrington agrees and states that the assessor has given additional language as to why that is approved. Selectman Huebner states that it meets all requirements but their question was, how did the town ever get into this position in the first place. He asks if they have that answer and Mr. Harrington states, no.

Motion: Vice Chairman McGarry makes a motion to approve the current use on 51 Church Street.

Second: Selectman Barry

Discussion:

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

-Charitable Exemption Application. Boy Scouts (Troop 138/Pack 138). Map 418 Lot 79-46 and Map 418 Lot 79-47.

Per the town assessor supervisor, Evan Roberge, "In my opinion, these two buildings located in the Deerfield Fair are not "owned, used and occupied by them directly for the purpose for which they are established." While they may use the profits from their operation at the Deerfield Fair directly for the purpose for which they are established, it would appear the buildings themselves are not being used for charitable purposes, but used to raise money for their charitable services and would not qualify under the Charitable Exemption. As stated, the purpose of the Boy Scouts is providing scouting and growth experiences for youth in and near Deerfield, NH; however, these buildings are only used for about 4 days out of the year, or about 0.01% for the stated Primary use of "Food sales during Deerfield Fair", which in my opinion is not a charitable purpose or "service of public good or welfare advancing the spiritual, physical, intellectual, social or economic wellbeing of the general public." For the reasons mentioned above, I recommend this application be denied."

-Charitable Exemption Application. 4-H Foundation (UNH Rockingham City). Map 418 Lot 79-44. Per the town assessor supervisor, Evan Roberge, "In my opinion, the building located in the Deerfield Fair is not "owned, used and occupied by them directly for the purpose for which they are established." While they may use the profits from their operation at the Deerfield Fair directly for the purpose for which they are established, it would appear this building itself is not being used for charitable purposes, but used to raise money for their charitable services and would not qualify under the Charitable Exemption. The Primary use of the building is stated as "Prepare foods, sell Deerfield Fair Weekend" which in my opinion is not a charitable purpose or "service of public good or welfare advancing the spiritual, physical, intellectual, social or economic well-being of the general public." Furthermore, the building is only in use for about 4 days out of the year, or about 0.01%, therefore, you could argue its Primary Use. For the reasons mentioned above, I recommend this application be denied."

Motion: Selectman Barry makes a motion to deny both the Boy Scouts and 4-H Charitable Exemption Applications per the reason of the assessor.

Second: Selectwoman McHugh

Discussion:

Selectman Huebner looks for clarification by asking that if the justification of the denial is because the Boy Scouts do not own the building. He believes it reads that the Boy Scouts do not own the building so the tax burden should be on the owner of the building. Vice Chairman McGarry states, no, they own it. He then rereads the statement with the quotations. Selectman Huebner and Chairman McGarry then agree that it is owned and used for raising money only. Selectman Huebner then asks that even though the fundraising is then used for charity, it still doesn't apply to a tax exemption and Vice Chairman McGarry replies, exactly.

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

-Cemetery Lot Application. Thomas and Cindy Jennings of 6 Bliss Road Deerfield, New Hampshire. \$1,100.00.

Motion: Selectman Barry makes a motion to approve the Cemetery Application for Thomas and Cindy Jennings.

Second: Vice Chairman McGarry

Discussion:

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

-Oath of Office. Cindy McHugh. Animal Control Officer. Term ending 4/30/2024.

Motion: Vice Chairman McGarry makes a motion to approve Cindy McHugh's Oath of Office for Animal Control Officer.

Second: Selectman Huebner

Discussion:

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

-Oath of Office. Armand Cruz. Parks and Rec Commission. Term ending 4/30/2026.

Motion: Selectman Barry makes motion to approve Armand Cruz's Oath of Office for Parks and Rec Commission.

Second: Selectwoman McHugh

Discussion:

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

-Personnel Action Request. Parks and Recreation Director. Craig Houston. New Hire. Start date 6/12/2023. Salary is blended funding, \$55,000.00 from the Town budget and \$10,000.00 from the Parks and rec revolving fund.

Motion: Selectman Barry makes a motion to approve the hiring of the new Parks and Recreation Director.

Second: Vice Chairman McGarry

Discussion:

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

-Constellation Energy. Town is contracted with them for our standard power agreement which gives the Town a discounted winter rate and so the Town receives a rebate check once a year.

The new contract was just received and it's a 24-month agreement. Mr. Harrington explains that the last agreement was for 48 months but to get a better rate, as recommended, we go with the 24-month agreement.

Motion: Vice Chairman McGarry makes a motion to approve the new 24-month contract agreement.

Second: Selectman Barry

Discussion:

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

- Correspondence – No correspondence.

Town Administrator's Report:

John Harrington has one item. He is bringing back an answer from the school board about the possibility of bringing the voting back to the school. They responded with several additional questions for the Board and they've asked the Board and Town Moderator to join them to talk about this at their next business meeting on June 7, 2023 at 6:00 pm at the school. Chairman Pitman asks who will need to appear at the meeting and Mr. Harrington states he feels the whole Board but whomever can make it will work and he'll provide the invitation to the Town Moderator as well. Vice Chairman McGarry states that he can go to the meeting and Chairman Pitman gives a maybe. Selectwoman McHugh states that she will be able to go. Selectman Barry states that from what he understands the School Board has questions about set up, take down, and so on. Mr. Harrington agrees and adds that they also have questions about which elections and if this will be every year or just this year. He then states that this stems from the storm that happened this year and the possibility of losing power at the Town Hall and not having a back-up generator. Selectman Huebner wonders if they are being a little assumptive that the School Board would agree to do the voting at the school. Selectman Barry states, no, there is a history of voting at the school when it first opened years ago. Selectman Huebner replies that it has been done in the past but for more years the town has voted at the Town Hall and he's not sure if he's in favor of switching the voting over to the school. Mr. Harrington states that this was only asked because the BOS wrote the letter to entertain the idea of voting occurring at the school. Selectman Barry states, so the bottom line is that if the voting was happening at the school during this past election, voting could have occurred during the storm. Selectman Huebner states, no, it was not canceled because there might not be power. It was because the roads were dangerous. Whether the voting was at the school or Town Hall people wouldn't have been able to get there. In the end he is not convinced voting needs to be switched to the school verses the Town Hall that has been used for hundreds of years. Selectman Barry states that he absolutely prefers the Town Hall as this is what it was built for but, the bottom is, is that there's no generator at the Town Hall. There's no way to operate the fire suppression system when power is lost and there are numerous problems when trying to run cables and such and if they were in a situation that they were aware that weather might come or something along those lines makes the school a better place until they can straighten out the issues at the Town Hall. Selectwoman McHugh states, so for bad weather and Selectman Huebner states that this is not the intention. It would be to vote at the school next year no matter the weather and he doesn't feel this is necessary. Vice Chairman McGarry states that he doesn't see any reason why they can't sit down and talk to them and then decide whether the Town will switch to voting at the school and Selectwoman McHugh agrees. Selectman Huebner states that his point was he feels it's presumptuous to negotiate, essentially, with them for the terms of how we do it if the BOS does end up deciding not to do it. He's states that it's effort not spent well. Selectwoman McHugh states they would not be getting stuck in a hard place.

Unfinished Business

Chairman Pitman states they received a letter from a resident regarding a parcel on Mt. Delight Road that needs clean up. Mr. Harrington states that he is aware of the letter and both the Health Officer and Building Inspector are working with the parcel owner to rectify the situation. He goes on to say it's been

ongoing for some time and just this week the Building Inspector is sending a certified letter to the property owner explaining that action needs to be taken. Vice Chairman McGarry asks about having the Health Officer speak to this since is there at the meeting. John Dubiansky steps to the mic and explains that this dates back to around October and it came to him because there were people living in the RV that had been backed into the property on 21 Mount Delight Road. In coordination with the Welfare Director, they were able to reach out to and relocate the people living there. They were under the impression that the property owner was going to start cleaning up the property and it has not started yet and because of this it's getting moved up to the next level to try and make the property owner clean it up. The RV on the property has an unregistered vehicle ordinance and there's state law pertaining to this. There is trash on the site as well. He feels there might be septage on the site because people were living there without any septic connected septic for a long period of time but nature has probably taken care of some of it. The big issue is getting the trash and the vehicle removed. He states that the building itself, a mobile home, is out of his realm and it would be a building inspector question if anything needs to be done about it. All the temporary stuff they can work on getting removed. Selectwoman McHugh to make sure there is no one living there now. Mr. Dubiansky answers by saying he had rumors that someone was living back in it and he's made several attempts to catch anybody there and he has not. He believes the building inspector has not either. They have both knocked on the door multiple times and no one has answered. Chairman Pitman states they can report back to the letter writer all that has been discussed.

New Business/Other Business

Selectman Barry brings up that the Deerfield Baptist Church will be holding a market on the 2nd and 4th Saturday of the month from June 24th to October 28th 11am to 2pm. He believes it's called the Deerfield's Farmers Market and they would like permission to use the Town Hall parking lot for overflow parking. Chairman Pitman states that he does not see a problem with this. Erroll Rhodes states there will be an issue with June 24th because the Heritage Commission is holding an event that day but believes most people will be gone by 11am but wants to state that there could be parking logistic issues.

Selectman Barry states that library staff have asked for help with a parking problem in front of the library. The neighbor across the street has taken to parking their cars there even during library hours restricting spaces available for library patrons. The library would like to know if the BOS will allow, library parking only, signs to be out up there. Chairman Pitman states he feels it's needs to be and as long as it doesn't involve the fire department. Selectman Barry explains that there are a few spaces for the library on the side but mostly for the fire department but out in front by the hedges there are three spots that could be dedicated to library parking only. Selectwoman McHugh asks if they know it's just the neighbor and Selectman Barry states, pretty much. Vice Chairman McGarry verifies that it would be signs for library patrons only and Selectman Barry confirms that's what they are requesting because it's becoming a problem for people to come and park at the library. Selectwoman McHugh asks if that's in the library budget or is it something the Town would have to pay for. Mr. Harrington states that he would have to look at the library budget and if they can't do it, it would have to come out of the highways budget. John Dubiansky steps to the mic and states that he knows the van has been an annoyance to the library but it's been very good for the fire department because they know to park forward of the telephone pole so if patrons will be parking there again it would be good to put the line back. If people park towards the fire station of the wood power pole, then the fire vehicles, especially engine 1, can't make a right-hand turn out of the station. If signs go up, he would like to see, at the very least, a line so people don't hang over and make it difficult for the fire department. Selectman Barry asks about the sign that says fire department and if that indicates fire department parking. Mr. Dubiansky explains that years ago they had actually lined the road so there were about 8 parking spots and the first one was one of the two they had reserved for the fire department. That first spot was set up that way so no one would park there and impede fire vehicles from getting onto the road. Chairman Pitman asks Mr. Harrington to look in to getting the signs. Mr. Harrington asks how many and Selectman Barry states he feels 2 would be fine. One about eight feet in from the edge of the telephone pole, enough for a fire vehicle to park and then one down at the end. Vice Chairman McGarry asks if there's something else to do have the parking spaces

painted. Selectman Barry feels painting would not be necessary. He explains that the other side of the road has no parking because of the fire department so the neighbor across the street is parking in front of the library but this is taking spaces away from the library. Mr. Harrington asks if there's a motion and Selectman Barry states that he feels one is not needed since there's general agreement and Chairman Pitman agrees. Selectman Huebner asks if it would be wise to library parking only between certain so that when other events are going on at the Town Hall or Gazebo people can park there during off hours. Selectman Barry states that the library hours are very staggered and that he feels it should just be, library parking only. Chairman Pitman states, let's start with that. Mr. Harrington confirms, 2 signs, 8 feet in and Selectman Barry states from the fire department designated space, enough room in from there.

Selectman Huebner states that he's the representative to the MBC for the BOS and the MBC, at their last meeting, had a long discussion about how to do a better job of getting the budget passed this year. At the end of the discussion, it was felt that it would be good for the BOS and MBC to meet together well before any budgets are put together by the department heads in June or July of this year. They would discuss the strategy of the budget to discuss the budget ahead of time before the budgets are simply put in front of them, the BOS. They feel there could be a better result if there was a pre-discussion. He states that the MBC asked him to present this idea to the Board and if they would like to do it. He states that he did explain at the meeting that each of these bodies is a sovereign body that has their own duties to do and that they wouldn't want to, necessarily, have any interference or any expectation that they could tell us what to do, so to speak, but he does feel like it sounds positive and he would recommend to the BOS to have such a meeting. A meeting with the full MBC and full BOS as a 16-body council to discuss the budgeting process and how they go about it and dealing with each other and modifying the budget the best it could be and it would be a public meeting at the George B. White building in the meeting room. Selectwoman McHugh asks if it's like a public workshop and Vice Chairman McGarry says, yes, probably and he does not have a problem with it. Selectman Barry states that he does have a problem with this. He goes on to say that the MBC's page is to decide if the number that the BOS budgets for a certain procedure is correct and the MBC has a problem staying on that page. They do not make policy and the BOS needs to continue making a budget based on what they think should happen and how much it should cost. Selectman Huebner states that the BOS would reserve that right to make those decisions on our budget with no interference. It would, simply, be a discussion of how they can do better than they have done in the past. Vice Chairman McGarry states that he does not have a problem talking to them and if they disagree with the approach the MBC is proposing then the Board can say, no. It's the Board's prerogative to say we will make some changes or no we're going to continue on as we have. Selectman Huebner provides an example of one of the proposals and that is that more things should be put on warrant articles and not on the general budget. He doesn't, necessarily, agree with it but this is an example and they could discuss the strategy on how the warrant articles are handled in this meeting. Vice Chairman McGarry states that his only concern is that they could potentially end up having four or five pages of warrant articles which most voters wouldn't want to go through. Selectman Huebner feels that since the warrant articles tend to be approved and the budget voted down it might be better to do more warrant articles and states this is the kind of strategy they are looking to discuss. He then states that if the BOS is amenable then he can report that back to the MBC and then they can work on picking a date. Selectman Huebner asks if a motion is needed and Chairman Pitman states probably not since money is not being spent.

Citizen's Comments

- John Dubiansky. Mr. Dubiansky would like the Board to reconsider the exemption on the taxes for the Boy Scouts and 4-H. He feels that the booths are used absolutely for their core programming and explains all the reasons why this is. He would like to see them receive the charitable tax exemption.
- Harriet Cady. She brings up the striping of South Road and tells a story of when her children were school age and riding the bus. She then goes on to say that lines and police will not stop

people determined to speed. She states that putting lines down will not do anything but more police on the road probably would. She then changes topic to talk about the Boy Scouts and 4-H and she feels their buildings at the fair should not be taxed. Since the church building that is there is not taxed why are these 2 groups going to be taxed as they are all non-profit groups. She changes gear to talk about the library parking signs and she would like them to show for library hours only.

- Ed Cross. Thurston Pond Road. He would like to see the Board reconsider the charitable tax exemption for the Boy Scouts and 4-H and explains why he feels this way.
- Erroll Rhodes. Church Street. He also feels that the Board should reconsider the charitable tax exemption for the Boy Scouts and 4-H and why believes this as they are a not-for-profit organization.
- Pete Schibbelhute. He presents pictures and speaks about the Range Road culvert. He explains what's going on with culvert and why it's failing (from what can be heard as he is not at the mic). He would like the BOS to start considering using ARPA funds for this as the culvert is starting to fail.

Selectman Huebner asks about holding the charitable tax exemption decision, holding the paper until they can speak with the assessor again about what's been said tonight so everyone understands properly what the citizens have been saying consistently about the Boy Scouts and 4-H. Selectman Barry would like to do this as well. They look to Mr. Harrington if this is something they can do and he states that they would have to make a motion to reverse or take away the motion and second would have to do the same.

Motion: Selectman Barry makes a motion to reverse his motion on denying the charitable tax exemption for the Boy Scouts and 4-H.

Second: Selectwoman McHugh agrees to reverse her second.

Adjournment

Motion: Selectman Barry motions to adjourn.

Second: Vice Chairman McGarry

Discussion:

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

Next Meeting: May 22, 2023 at 5:30 pm

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