

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
May 22, 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.

Police Department – Chief Gary Duquette

Chief Duquette states that he came in, mostly, because he watched the meeting from last week and there were a lot of things said during that meeting that were not very accurate about the South Road speeding enforcement. He adds that there seemed to be some inferences that the police were not doing their job the way they should be doing it and he is not sure what this particular Board member was basing this on other than a few comments from people. He is not sure what real knowledge they have. He feels it was a little insulting, at best. He states that the police do take traffic enforcement seriously and to say that they do write enough tickets is an opinion and the very act of stopping cars is enforcement. HE reminds them that 75% of the time there is only 1 officer out there to cover 110 miles of roads and everyone wants to see them somewhere so it is not possible to sit on South Road for 10 hours every day. The police receive complaints from all over town so they must spread themselves around in between answering calls. He states they do the best they can with what they have. He states that they are spread thin but if the Board wants to provide more money to hire a couple more guys, let him know, and he'll jump right on it. He reiterates that they are doing traffic enforcement. He goes on to say that the most important reason he came to the meeting tonight was to propose a more data driven approach to the traffic issue. He provided quotes to the Board on some traffic equipment.

JAMAR Technologies. Trafficking counting and supply company. They currently have one but it's about 16 years old and hasn't worked for a few years now. When it was working, they used it a lot. can be attached anywhere so if there is a speeding issue in an area, they can go set it up there. It captures unbiased speed and traffic data and it gives the police an efficient way to address speeding complaints. In total it collects volume, speed, directions, lanes, class by length, following distance (will capture tailgating) and size of vehicle. It is battery operated and will last 5 to 7 days at a time depending on the traffic volume. He feels this will provide them with actual factual data that he can show the Board and any interested citizens as to what is actually happening out there, which is broken down by the time of day, hour by hour.

Digital read out speed signs that also collect volume and speed data. He remembers a Board member stating they believed they had one in the past and lets them know that they have never had one. He researched it and found the Town never had one. He looks at these signs as a visual reminder for people. He tells the Board that all these things are not going to stop people from speeding, tailgating, or doing the things that people do but the visual reminder does help some people slow down. The signs are portable and battery operated and can be put around town where there's been a complaint.

He feels this these types of equipment would go a long way in alleviating some of the concerns and with helping them, the police, out a little bit as far as the enforcement side since they can't be everywhere all the time. He brings up how citizens, including the Board, say they don't see the police out there. He reminds them that unless you're standing in your window or yard for 10 to 20 hours straight you won't catch sight of them. At night you won't even be able to tell it's them unless they have their lights on. He brings hearing about the tubes laid across the road in the past and picking up a speed of 70 miles an hour and states that it could have been them, the police or an emergency vehicle responding to a call so it doesn't necessarily mean that it's somebody speeding. He then brings up how the citizens say it's not us and it must be commuters. He states that he's been down this path many times and it is the citizens that are speeding. When they receive a complaint about a road, it's generally the people that live on the road they end up stopping for speeding. He said it's not just Deerfield though, it's driving everywhere. He states that he lights up someone at least once a week for tailgating because they don't even realize they

are doing it. He feels people's driving habits have evolved into something kind of careless and they aren't really paying attention to this whole thing. In the end he feels 2 speed signs and 1 data collection unit would be good for the Town and this would cost around \$13,000.00 and ARPA funds could be used for this.

Chairman Pitman asks if it would be better to do this rather than doing the lining. The Chief replies that he has been seeing people flipping and flopping on this but his personnel opinion is he does not feel the experiment of partially lining the road has any benefit. It's either all or nothing. He brings up how the Board keeps referring to the bus incident from last year and he tells the Board that the bus was not stopped and letting kids on or off. The signs weren't out and the lights weren't flashing. There was nothing illegal about the pass. He goes on to explain that with reckless driving, in order to charge someone with it, they have to be able to prove it in court. It's easy to say it but not easy to prove it. He realizes that people's perception is people's realities and everyone has a perception of a visual speed estimate and then asks if anyone is certified in this. He states that he has been certified in it for a long, long time and it's not as easy as one would think it is. Unless you are certified your guess will not come close to what the speed of a vehicle actually is. He explains that the roads of Deerfield are set up or conducive for walking or riding a bike. He goes back to stating that of course people are speeding out there all the time and they can't 100% solve the issue but these devices will help aid in enforcement by telling them speeds and times so they know when to be out there. He explains that after the accident they sat out on South Road a lot and he feels that the issue is not as bad as people make it out to be. He doesn't want to disparage people but a person on the side of the road's perception is not radar. South Road is not the highway from hell that people are making it out to be. So, if the Board is willing to give up a little ARPA money, they can get this stuff out there and deployed. It will give them a much more accurate picture of what is going on.

Selectman Barry feels this makes sense in getting a much more accurate picture.

Selectman Huebner asks if they get the signs that display speeds and records speeds do they need to get the black box (JAMAR unit). The Chief explains that the black box is much more advanced. The flashing signs are only getting the volume and speed and time. With the black box you are getting volume, speed, direction, it can split lanes, provide class length of vehicles, following distance and times. Selectwoman McHugh looks for clarification on how many of each. The Chief answers, one black box from JAMAR Technologies and two signs but it's ultimately up to the Board how many.

Vice Chairman McGarry states that if they don't do the striping, they can use the money they had set aside for it for one of the units. The chief is okay with however they want to do it. Vice Chairman McGarry then asks if the black box will pick up both lanes, going and coming away from it. The Chief replies, yes. Vice Chairman McGarry then asks if the signs only collect data from the drivers going towards them and the Chief replies, correct.

Chairman Pitman states they need a motion for \$12,898.00.

Motion: Selectman Huebner makes a motion to follow the Chief's recommendation on purchasing one black box and two speed signs and to use the money from what would have been used for yellow line striping to this and have the remaining amount come from ARPA funds.

Second: Selectman Barry.

Discussion:

Vice Chairman McGarry and the Chief clarify again the number of each unit to be purchased and the total cost.

Selectman Barry feels this is much better than painting lines and this equipment will last much longer than lines. The Chief agrees. The last unit they had lasted 16 years and when the battery finally gave out it was so old, they couldn't even update it.

Selectman Huebner asks for clarification on how the signs are put up because it doesn't sound like they are the kind with the trailers that get hauled around. The Chief explains that those are much more expensive and need certain vehicles to haul them and they need proper storage that the police do not have. The signs he's proposing to get can be attached to poles and trees and other signs and cost less and don't require the hauling equipment or extra storage. Selectman Huebner asks who would be moving them and installing them and the Chief states that it will be them, the police. Selectman Huebner asks about the use of it. Routinely or only when there are complaint and the Chief agrees with routinely for the signs. The black box will be for complaints.

They can mount it and gather the data and then act accordingly. The Chief reminds them that they used the previous a lot and felt it was a great tool.

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

Bid Opening – Paving

Chairman Pitman states there are 5 bids. Selectman Huebner asks what the scope of the paving that this bid for. The Town Administrator, John Harrington, states that these are for the overlay of South Road. Chairman Pitman states that he'll read off the five bids and then hand them over to the Road Agent, Pete Schibbelhute, to analyze them and then get back to them before they adjourn so they can vote on it tonight.

1. R & D Paving - \$195,132.90
2. Pike Industries - \$199,430.50
3. Advanced Paving - \$216,281.00
4. GMI - \$210,865.50
5. Continental Paving - \$213,570.00

Vice Chairman McGarry states that R & D is the lowest bidder and that all five have bid bonds but they will have Mr. Schibbelhute review them and let him provide his recommendation. The bids are then handed off to Mr. Schibbelhute.

Veasey Park – Travis McCoy

Travis McCoy states he is there to give an update on the opening of Veasey Park. He states that the water and sand are still there and the gates are open but there is a little bit of cleanup to do. He goes on to say that most of the staff from last year will be returning this year and swimming lessons will be offered again this year. He states that they are pretty much ready to go. Selectman Barry asks if anything was damaged over the winter or if there is anything that needs to be taken care of. Mr. McCoy states there's a lot to take care of as there are lots of branches down, there are a couple trees that need to be taken care of and some debris by the roadside from trees. Chairman Pitman asks if the raft and buoys will be out for Memorial Day weekend and Mr. McCoy states, no. He says that they discovered a while ago not to put the lines up until the water has reached a reasonable temperature. They want to discourage people from swimming in the very cold water because of hypothermia and the fact that they only have lifeguards on during the weekends. He says they will post signage to discourage people from swimming due to the cold water. Selectwoman McHugh asks if the highways guys can come clean up the branches by the road and Mr. Harrington says yes. Mr. McCoy states that he has delegated more to the staff this year as he has a new job that takes him away from Veasey more than in the past. Selectwoman McHugh asks if there are any plans for the front gate and Mr. McCoy states that it should be replaced. Selectwoman McHugh then says she is aware they might not have the funds in the budget but asks if there is money left over from any donations to do this and Mr. McCoy says they do have some left and that he would really like to concentrate on the front gate. He would also like to concentrate on the grassy area to make it more usable for people. He then goes over the other issues with the forestry, driveway, and erosion. He explains the erosion is a lot better due to grass that they planted but is always a concern. He reiterates that he would like to focus on making the park as user friendly as possible and to fix the front gate and make the entrance more appealing. He states that the budget for this year will be mostly spent on personnel this year. The budget is based off paying people \$10.00 and \$12.00 an hour and that just isn't enough so his priority when it comes to spending the budget is staffing. He feels the donations can fix the front gate and the grassy area. Mr. McCoy asks to speak off topic and Chairman Pitman allows it. Mr. McCoy then thanks the Board for approving the Chiefs request for the signage and black box but says he feels the real issue is only one officer being on at a time for 110 miles of road. He states there is a lot more through traffic today than ever before and he hopes that in the future the Town can the PD and first responders whatever they need.

Eversource – Ash Tree Removal Presentation

Ian Farley. Supervisor with Eversource Energy working for the vegetation management division. He speaks to when Eversource was before the Board to speak about the ash tree issue in Deerfield and the hazards it is creating. He states they have been seeing this statewide in most of the communities that

they serve. An invasive insect called the Emerald Ash Borer is what is killing off the ash trees. The primary circuit that serves Deerfield is scheduled for planned trimming in 2024. But due to the recent inquiries about ash mortality and the potential impact on safety and customers, Eversource has moved the planned maintenance to 2023 to be proactive and responsive to community concern. They have identified and successfully permissioned (they have worked with whomever they need to, to gain permission to remove the tree) 142 ash trees that are a current threat to the electrical infrastructure and will be removing them. Eversource has brought in their contracted tree removal company, Northern Tree Service, to remove the trees and they are already halfway done and it will continue until, most likely, the end of June. The removed trees will be left with properties that would like to keep it and the rest will be brought to the Deerfield Community Wood Bank.

Chairman Pitman asks why Eversource went with Northern Tree Removal and not Asplundh. Mr. Farley explains that every four years, what they call their area work centers or divisions, are put out every 4 years as part of a competitive bid process. So, last the Epping area work center that Deerfield is part of was put out to bid and Northern Tree Service was the successful bidder.

Selectman Huebner recaps the number of trees identified and the work that has begun and possible completion time and then asks if because of this, will no other work be completed until 2024. Mr. Farley replies, yes and no. He states the 142 trees were a small portion of the circuit. In order to complete the work this year they will assess what they call the backbone, where the most customers are, and do the trimming there and also do trimming where it is a threat and then complete the trimming of the entire circuit next year. Selectman Huebner believes there was a previous estimate of 3 to 5 thousand ash trees needing to be cut and asks if that is how many will end being cut at the end of all this. Mr. Farley replies that he's not sure where that estimate would have come from. He did notice on his drive into town that ash tree decline is an issue and what Eversource has done is they have made sure that any tree they have identified and are removing fall within the general specifications and are an immediate threat to the rate payer's reliability. Eversource is doing their due diligence in this process.

Vice Chairman McGarry asks if they have run into any situations where a property owner has refused permission to cut the trees and Mr. Farley replies, no. Due to the trees being on decline they have not run into this issue.

Selectman Huebner asks the arborist if Ash trees are done for in this area and the Ash Borer cannot be stopped or is there a program to try and remedy the situation. Mr. Farley states that the native ash trees do not have the capability to fight off the emerald ash borer. He's not sure if all ash trees will die from this but it's not out of the question because the insect moves so fast. Once you start to see the signs it's already too late. Keeping the trees within the town can help stop the spread so that is why Eversource is working to keep all the trees they cut within Deerfield.

Regular Business

Review of Outstanding Minutes 5/15/2023:

Motion: Selectman Barry makes a motion to approve the minutes from 5/15/2023 as written.

Second: Selectwoman McHugh

Discussion:

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

Vouchers/Payroll Manifest/Accounts Payable Manifest:

- Payroll Manifest – No Payroll this week
- Accounts Payable – \$89,876.97

Motion: Selectman Barry makes a motion to approve the accounts payable manifest in the amount of \$89,876.97.

Second: Vice Chairman McGarry

Discussion:

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

Selectman Huebner states that they receive the minutes and manifests in advanced and they review them prior to the meetings so it's just a matter of signing off on them at the meeting.

Signatures/Correspondence:

- **Signatures**
-Application for an Individual Storage Sewage Disposal System. Charlie's Restaurant would like to increase their seating compacity and to be able to do this they would need to apply to DES to increase the tank size. It would be 67 seats total. Currently they are approved for 36 so in order to accommodate the added seating they would need to increase the capacity of the grease trap. It is currently a 2,000-gallon grease trap so it would have to be increased to add another 2,500 gallons. Initially, Vice Chairman McGarry, put down to replace the 2,000-gallon tank with a 4,5000-gallon tank but the state replied saying they could have a series of two tanks that make up 4,500-gallons or more. There is application and there is also a requirement for a waiver due to the disposal field is a lot closer to the property line than what the requirements are now even though it's an existing system. Selectman Barry states that he's very happy they can do a circuit of two tanks rather than one large one which makes more sense. Chairman Pitman asks for a motion for the Chairman to sign.

Motion: Selectman Barry makes a motion for the chairman to sign.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner asks about the funding and Vice Chairman McGarry and Chairman Pitman both state that the owners of Charlie's will be paying for this and the town is helping them look into it. Mr. Harrington states that this is just the application process. The owners, Charlie and Alicia Hill, will be paying for the tank and installation. The town is doing the paperwork and necessary installation for them. Selectman Huebner said he was curious because the Town is renting it to them. Mr. Harrington states that is correct but this is a permanent infrastructure change to the building and it's not necessarily needed on the Town's part so if they want to increase seating they will have to pay for the increased capacity. Vice Chairman McGarry states that he assumes Charlie's will be paying the application fee and Mr. Harrington assures him they will be.

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

Back to Bid Opening – Paving

Pete Schibbelhute steps to the mic to go over the paving bids that he has reviewed and Chairman Pitman states they'll take a break from signatures to go over this. Mr. Schibbelhute states that the difference between R & D and Pike is \$4,297.60 and R & D has the lowest number. He states that Board has worked with R & D in the past and then asks them if they were satisfied with them. Chairman Pitman states that they were very satisfied with them. Vice Chairman McGarry asks if their extension were all correct and Mr. Schibbelhute says, yes and where they make up the difference is in their flagging. Selectwoman McHugh asks if they will be doing the flagging and Mr. Schibbelhute says they are.

Motion: Selectman Barry makes a motion to go with R & D Paving for \$195,132.90.

Second: Selectwoman McHugh

Discussion:

Selectman Huebner states, we are always looking at the price but he would like to know if they are looking at the payment terms and how much retention money. Mr. Schibbelhute states that all that is in the contract. Selectman Huebner says, okay, so they are all agreeing to the terms to the terms the Town asked for and Mr. Schibbelhute agrees and says that if they didn't agree with the terms it would have to go to someone else. Vice Chairman McGarry states that it's a 5% retainage at the end of the project that will be held for a year. Selectman Huebner states, so there are no differences between the bids in terms of any terms and conditions other than price and Mr. Schibbelhute replies, at this point, no. Vice Chairman McGarry then states that with this contract

they have a requirement for the issuance of a payment bond and a materials bond as well which is further protection for the Town.

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

Chairman Pitman asks how the pricing compares to last years and Mr. Schibbelhute says that it's pretty close to what it was last year. Chairman Pitman says, so no sticker shock and Mr. Schibbelhute agrees. Selectman Huebner then asks, but it's still more than before the pandemic, for instance, in terms of asphalt pricing. Mr. Schibbelhute states he goes back to 1999 when tonnage was \$30.00 and today it's outrageous. Vice Chairman McGarry asks what the tonnage price is and Mr. Schibbelhute states that R & D tonnage price is \$79.50 per ton and Pike's is \$75.25. They all agree there has been an escalation since the pandemic. Selectman Huebner asks when the work will be done and Mr. Schibbelhute says that now that he has the winning bid he can get on the phone and call then to get it set up and Selectman Huebner asks if there is no commitment in the contract and Mr. Schibbelhute says, no. Vice Chairman McGarry says, no, and asks how many days they give them to complete the project and Mr. Harrington states it's 90 days of substantial completion and 110 days for final. Mr. Schibbelhute says that when they are actually paving it shouldn't take more than 2 days.

Back to Signatures/Correspondence:

- Signatures
-Charitable Tax Exemption. Boy Scouts and 4-H. Chairman Pitman states that as of right now... Selectman Barry states he made the motion to deny and then withdrew his motion after discussion. Chairman Pitman then states that right now there are 2 signed agreements with a letter from Avatar stating why they should stick to the original denial. Mr. Harrington states they need a new motion, a new second and a new vote. Selectman Barry states that he doesn't like the decision from the assessing company but he will make a motion.

Motion: Selectman Barry makes a motion based on the letter from assessing to deny the charitable tax exemption for the Boy Scouts and 4-H.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner states that he against the motion because he doesn't feel it's proper the way the assessor is treating the purpose and not recognizing the fact that the Boy Scouts use this booth as a teaching portion of their mission. He feels it short-sighted to say it's just a four-day event to earn money and there's consistency with the mission of program. He doesn't agree with this position for the Boy Scouts or the 4-H. He says that he recognizes that Avatar is saying they have to do this but he doesn't feel they have to. He feels that they can point out to the assessor that they believe the mission of these charitable organizations is indeed being carried out during their time at the fair. He then suggests that they don't vote to deny the exemption and that they continue to support the 2 organizations and they go back to the assessor with the 2 groups to make the case that the assessor is not assessing it correctly.

Chairman Pitman states, that is your opinion and Selectman Huebner replies, yes. Chairman Pitman then states that they pay Avatar a lot of money to do this work for the Town.

Vice Chairman McGarry states he would like to reflect on one sentence in the recommendation from Avatar, "The limited nature of the use and the fact it is not in use for charitable purposes would not qualify for the charitable exemption," and this is why he is in support of the motion.

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

-Intent to Cut. Jack Sherburn. Sixty acres total. Seven to be cut.

-Veteran's Property Tax Credit. Charlie Martell. Charlie Lane. Mr. Harrington states that this exemption will take effect in 2024 but it was submitted this year. They recently moved to Town from Goffstown where they previously received the veteran's tax exemption. Vice Chairman McGarry states that it is a \$750.00 tax credit and Chairman Pitman agrees.

Motion: Vice Chairman McGarry makes a motion to approve the Veteran's Tax Credit in the amount of \$750.00.

Second: Selectman Barry

Discussion:

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

-Report of Timber Cut. Jeanne Menard. Balance owed to the Town is \$2,924.91.

Motion: Selectman Barry makes a motion to collect the owed amount of \$2924.91.

Second: Selectwoman McHugh

Discussion:

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

-Winter Sand Contract. Pete Schibbelhute states that they forgot to do this in the last meeting and that F.L. Merrill is the lower price by \$0.15 per ton.

Motion: Selectman Barry makes a motion to award the winter sand bid to F.L. Merrill.

Second: Vice Chairman McGarry

Discussion:

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

Selectman Huebner asks Mr. Schibbelhute to remember back a few weeks back when they decided on which vendors had the best prices on different commodities and Mr. Schibbelhute remembers. He then asks if they are following this or not because it's not convenient sometimes to get certain commodities. Mr. Schibbelhute states that they are, basically, following who's got the price and it's the \$0.15 lower that they are going with. Chairman Pitman states that both are a reputable source and Mr. Schibbelhute agrees.

-Eversource needs permission to cut 2 large dead ash trees on the southern lawn of the GBW Building and for no charge they'll clean up some other trees. Mr. Harrington explains that Eversource noticed the dead trees the first time they came to the building and they offered the tree removal and to free up the three-phase line that is tangled in the trees. Mr. Harrington states they just need a letter from the Board giving them permission to do so and this is the letter they are signing tonight. Selectwoman McHugh asks if the wood be taken to the wood bank and Mr. Harrington says they will be handling it like all the other wood.

Motion: Selectman Barry makes a motion to approve permission and sign the letter.

Second: Vice Chairman McGarry

Discussion:

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

-Tax Payment Plan. 152 North Road. Map 405 Lot 4. Mr. Harrington explains that this is for the Board to agree to, to clear up back taxes. He goes on to say that this property owner had a previous plan with the Board but one of the deed owners passed away so they have to renew the agreement with the remaining deed holder and the arrangement has not changed.

Motion: Selectman Barry makes a motion to approve the tax payment plan.

Second: Selectman Huebner

Discussion:

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

- Correspondence

-Letter to the Board of Selectman from Charles and Alicia Hill. Vice Chairman McGarry reads the letter, "Thank you for your time in the previous meeting regarding the expansion of space and the full liquor license. While we work on the seating capacity requirements to continue the discussion of outdoor seating expansion, we would like to move forward with the request for the full liquor license.

Understanding there were some concerns with this part of the request, we would like to be clear in our standards with this added responsibility. We will ensure that the following standards are followed:

1. We will remain in compliance with the NH requirements to hold a full liquor license. This will include notifying our insurance company of the additional responsibilities.
2. All servers will complete the Management Training Seminar (MTS). This is above and beyond the current NH requirement of one person on staff holding the certification.
3. The last call on hard alcohol will be 30 minutes prior to closing to ensure there is a full-service kitchen available while hard alcohol is being served.
4. There will not be shots sold as a drink. All hard alcohol will be served with a type of mixer.
5. We will remain in compliance with the NH guidelines regarding liquor storage. All liquor will be stored behind the bar and locked after hours.

We appreciate your time and consideration of our request. Please let us know if you have any additional questions or concerns. Kind Regards, Charles and Alicia Hill"

Mr. Harrington states that this would be the time to make the decision. Selectman Barry asks if the Fire Department has looked at everything yet. Mr. Harrington states he has not heard from the Chief yet. It is explained that it's the seating that needs to be looked at by the Fire Department not the liquor license.

Motion: Selectman Barry makes a motion to approve Charlie's to do whatever they need to do to help Charlie's Restaurant obtain a full liquor license.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner brings up a concern they had a previous meeting about children in parks and rec and the fact that the hallway is shared so you potentially have people who have been drinking walking through the hallway that is shared with children. He's not sure how to address this concern but is the essence of his concern about the full liquor license.

Selectman Barry makes the point that kids go to Ma's and the Lazy Lion restaurants. He explains that it's an adult's responsibility to act responsible and he would assume that the proprietors of all the businesses would immediately step in if anything became towards kids.

Selectwoman McHugh states she has nothing against Alicia and Charlie and states they have a great establishment. She goes on to say that they own this building. The Lazy Lion owns their own building and Ma's rents their space. She reiterates that the Town owns the building that Charlie's is renting space in and that is her issue. She states they are also in this.

Selectman Barry states that they made the decision to be landlords in this building.

Mr. Harrington reminds the Board that they had asked him to check with Primex and the response he received was, the risk profile does not drastically change if the Town allows outdoor dining and expanded liquor license to the restaurant.

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

Selectman Huebner asks if they also approved the outdoor seating request and Chairman Pitman states, no. Mr. Harrington states that both questions were asked of Primex and that was their answer for both of them insurance wise. Selectman Huebner asks about the request for expanded seating out in the parking lot and Selectwoman McHugh states they are waiting on the Chief for that and Mr. Harrington reiterates Selectwoman McHugh's statement and that tonight

was them saying, although they are waiting on the expanded seating approval, they would like an opinion on whether or not they could expand their liquor license.

Town Administrator's Report:

John Harrington states he has an update for the Board on the discussion of the cable consortium. Deerfield is one of seven other communities who currently has MetroCast and the contract is coming up to an end next year. He states the group has been actively pursuing a five-year extension of the contract with Breezeline. Unfortunately, Breezeline will not entertain five years. They will entertain one year of an addendum to the current contract at which time if another company isn't secured to come into Deerfield, they will be rewriting the agreement as they will with the other communities. The recommendation now from the legal counsel, the consortium has hired, is to take the one-year extension and continue to work on possibly attracting another vendor in the community for cable services. He would like to know if they would like him to report back that the Board would like to go with the one-year extension.

Motion: Selectman Barry makes a motion to go with the one-year extension and have Mr. Harrington report this back to consortium.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner asks what the vendor that's the one-year contract and Mr. Harrington replies, Breezeline formally MetroCast.

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

Mr. Harrington goes on to discuss the FEMA application the Town applied for after the December storm for damages. Rockingham County did not have enough damages to reach the minimum limit to file for reimbursement so the Town will not be getting any funding for that storm. He states that the county files as a group and they have to reach a minimum.

Next, Mr. Harrington has an update from Primex on the Town Hall question and insurance. Mr. Harrington reads their response. The town should not get a rider for events that are not Town sponsored. The group who wants to have an event on Town property should have the coverage and the Town should be listed as an additional named insured on that policy. Primex does not have a tenants and user liability insurance policy known in the industry as tulip option for event coverage option for event coverage. If an event organization needs coverage, then they will need to find event coverage from their local agent and when they get it, the Town should be listed as an additional named insured on the policy. If the Town were to purchase insurance for an organization having an event on Town property you will lose the ability to use the any immunities that may apply to the situation by being part of an insured pool which is how the Town is insured through Primex. Deerfield is part of a pool with many towns throughout the state. The Town will also lose the cap. The cap is the most the Town will pay on any injury case where the Town could have some negligence. The cap right now is \$325,000.00 which is the maximum liability amount for any case against the Town. If the Town chooses to cover other people with insurance policies the Town will no longer have that protection. Selectman Huebner asks if the conclusion is that each event applicant should go to a private broker and get the insurance for their event and name the Town on it and Mr. Harrington states, correct, every time the town hall is rented to a private entity. Selectman Huebner then asks if there is any procedural problem with doing that, we just have a form and Mr. Harrington states that the Board could include that as part of the rental application but thus far they have not and Mr. Huebner replies, but that would be the solution and everyone agrees.

Motion: Selectman Barry makes a motion that starting June 1st the Board requires private entities to obtain insurance for event at the Town Hall and this to be added to the current rental application.

Second: Selectman Huebner

Discussion:

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

Unfinished Business

Chairman Pitman asks Mr. Schibbelhute if he had anything and then asks him if he could more the snow plows by Saturday. Mr. Schibbelhute says yes.

Selectman Huebner states that the Town has an interim road agent who has done a great job. The Board has offered him the full-time position which he has respectfully declined so he feels there needs to be a motion to seek a full-time road agent under the normal compensation and package that the Town offers. He would like to see the Town hire someone during the summertime to get them prepared and ready for the next winter. He then asks if in order to do this they would need to instruct Mr. Harrington to request a motion and then he would go out and solicit candidates and Mr. Harrington agrees.

Motion: Selectman Huebner makes a motion to have Mr. Harrington solicit for a full-time road agent with a \$76,000.00 salary.

Second: Selectwoman McHugh

Discussion:

Chairman Pitman asks Mr. Schibbelhute if he's good with this and Mr. Schibbelhute states, yes but if they are going to hire somebody, they should be prepared to spend much more \$70,000.00 on a salary because the people that are needed are going to be looking for more than \$70,000.00. He continues by saying that the key to whomever they hire is that they are going to need to know how to fix things because there are a lot of things that need fixing. He fully expected the Board to want to hire someone full-time and he hopes they can find someone that can perform the job and get things done.

Selectman Barry asks if the available money for the salary is \$76,000.00 and they all agree that this is correct. He feels in order to get someone with the skills needed this is no where near what is needed. He states they need to sweeten the pot but they do not have the money to do so. He's happy to let Pete continue as he is now until such times that they get an actual budget to get the going rate to get a qualified road agent.

Selectman Huebner asks if past agents have also been businessmen that run their own businesses so they aren't depending on the salary of the Town and Mr. Harrington states that the last 2 road agents have had their own companies. Chairman Pitman states Freddie did not and Mr. Harrington agrees. Selectman Huebner goes onto to say that they should try to see who they can get with the salary of \$76,000.00 and if necessary, they can see about squeezing more money out the budget if a higher salary is needed.

Selectwoman McHugh asks Mr. Schibbelhute if he does not want the full-time road agent position with benefits and he does not. He would have to give up his business to be the full-time agent and he's not willing to do that and then asks them if they are willing to accept that. He explains how his benefits went up in cost when he took the part-time job with no benefits. Selectwoman McHugh states that she understands that Mr. Schibbelhute graciously took the job to help the Town out until they could find someone and Mr. Schibbelhute says he understands this.

Selectwoman McHugh goes onto say that spring has passed and they may have missed out on hiring someone qualified. Mr. Schibbelhute gives an example of another Town's salary for road agent. He states Raymond just hired someone for around \$95,000.00 a year and he just wants the Board to be aware of what the current salary for a qualified person is.

Selectman Huebner states that he does feel the Town needs a full-time road agent. Mr.

Schibbelhute says that it's not a full-time job, it's an all the time job, his phone is on 24 hours a day for the job he takes the calls all day long from anyone.

Selectwoman McHugh states that, for her part, she wants to be able to look at the future and what the Town is going into the future with. She feels Mr. Schibbelhute is doing a good job but it's not for sure that this is in the future. Mr. Schibbelhute says, speaking of the future, he feels the Town needs to hire 2 maybe 4 more employees to work for the highway department. The reason being is the guys they have now need to be there to teach anyone new coming on the job because they have a limited amount of time of left and they have all of the knowledge about all the ins and outs and problems of the roads. He goes on to explain that there is a lot they have to be done before going out and getting to work on the roads. He states that these two employees will be retiring sooner than later and in order to have an efficient highway department in the future people need to be hired and taught everything before they retire but also to get more accomplished.

Selectwoman McHugh states that there are just some things the Town can't afford and Mr. Schibbelhute states with the problems that don't get fixed the Town can't afford to just sit and watch things fall apart and not correctly being fixed because that just makes things cost more in the long run. He knows everyone is concerned about salary money and hiring people but the Town is also letting the roads fall apart for a long time.

Selectman Barry states that he would be happy taking Mr. Schibbelhute on with his company but he's also happy with how it's working out with Mr. Schibbelhute right now at part-time. He feels they just won't be able to get someone with the knowledge and experience that Mr. Schibbelhute has for \$76,000.00 but he's willing to listen.

Vice Chairman McGarry states he's been happy with some of the job Mr. Schibbelhute has been doing and he's very conscientious and concerned with the roads in town and doesn't blame him for not wanting to give up his business. He states that they can take out an advertisement to see what they get and then decide if they'll proceed on the that route or not and continue on with Mr. Schibbelhute.

Mr. Harrington asks if the vote is in the affirmative would they like the job posted with the salary or left negotiable and the Board decides on negotiable.

Selectman Huebner states there is only a certain amount of money in budget for this and the reality is the money is running out for this function of road agent. He would like to know if they are prepared to even \$76,000.00 because he's not sure that's enough in the budget line to pay this based on what has been paid so far this year to interim road agent. Mr. Harrington states that the Board has the choice to overspend certain lines and underspend others so there's the ability to adjust a budget line by overspending it. Selectman Huebner then asks that if the longer they wait the worse that gets and Mr. Harrington states that line is being charged every week so Selectman Huebner says that's the problem cause the money is less and less.

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

New Business/Other Business

Selectman Barry makes a request asking if at the next meeting if they could all move down one seat so he doesn't have all the wiring around his legs and they all agree to this.

Citizen's Comments

- Harriet Cady. She doesn't agree with the assessing done in Deerfield as she was once a licensed appraiser. She feels the Town can give tax exemptions to non-profits and she believes they have already given the Congressional Church a tax exemption at the fairgrounds including a couple of others. She doesn't understand why the Town hasn't told the Boy Scouts, 4-H and Girl Scouts to apply for a tax exemption because it's something aloud in this state. She feels a letter needs to be sent out to all these groups to let them know to apply. Lastly, she would like the Board to advertise the full-time road agent job not only within the town and city but all over the state.
- Kevin Verville. McCarron Road. He explains that he's seen a lot of changes in the town since moving here in 2009 but he feels there is a real problem that is going unaddressed that he has been led to believe there is a plan for but he says a plan is not action. He goes on to speak about all the side gravel that was lost on the roads during the last storm and how it hasn't been filled back in. He would like to see the small problem fixed before it becomes a big problem. He then explains how the select board lobbied and was granter control of the highway department so they are now in control of it and the buck stops here. He feels McCarron Road is one rainstorm away from losing half it's road. He goes on to describe other areas with wash out and that new roads could be lost without the gravel. Since the select board has control over the highway department, he would like to see them get things done. He asking them to find a way.
- Pete Schibbelhute. He states that he's aware of Mr. Verville's situation and he's been up and down the road a few times. He explains that the part of the road that is washed out is the cistern and he's aware of it and he also has a catch basin cleaner coming to clean all the catch basins in

town and there is one right up the road from Mr. Verville. Because this catch basin was covered in leaves the water just went right over it and took the gravel out into a culvert. Mr. Schibbelhute reiterates that he's aware and that it is being taken care of.

Adjournment 7:18pm

Motion: Selectman Barry makes a motion to adjourn at 7:18pm.

Second: Vice Chairman McGarry

Discussion:

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

Next Meeting: June 5, 2023 at 5:30 pm

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