

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
August 14, 2023
MINUTES**

Call to Order

5:30 – Chairman Pitman called the meeting to order

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

Pledge of Allegiance to the Flag.

Health Officer – John Dubiansky

Mr. Dubiansky is at the meeting for a quarterly update. He explains it has been busy with both health and fire inspections. He has really stepped it up and has been working with the building inspector on pre-existing and newly existing issues and they have found quite a bit of stuff that has been going on. He's working on only issues that are a direct threat to a person's health or environment and no nuisance issues as there is no time right now. There is one issue already heading in the legal direction and another that will most likely head in that direction as well. He would like to know if the Board wants him to keep chasing things down or put things on hold until the current investigations are completed. Vice Chairman McGarry would like to see Mr. Dubiansky keep moving forward and have people conform to the health regulations that the town and state have. Selectman Barry states he would like Mr. Dubiansky to keep looking for and moving forward with all issues. Selectman Huebner would like to see keep moving forward as well. It is a group consensus of the Board for Mr. Dubiansky to keep doing what he's doing and they all thank him for his work.

Range Road Update – Pete Schibbelhute

Mr. Schibbelhute and Steve Keech are present. Mr. Schibbelhute asked Mr. Keech to be present to go over why a permanent fix is ultimately needed and the rules and guidelines he must follow from the state for culverts. Mr. Keech explains the issue with the culvert and why it needs to be entirely replaced. He goes over what is needed for it to be replaced in accordance with state guidelines. Chairman Pitman asks what needs to be done to get it out to bid for a temporary fix. Mr. Keech explains a temp fix and Selectman Barry asks if it would open both lanes and Mr. Schibbelhute states that it depends on what they come up with for materials but at this point it's definitely one, not two. Mr. Schibbelhute provided an estimate to the Board on paper for a temp fix to open one lane. Vice Chairman McGarry asks a few in-depth "geeky" questions and Mr. Keech provides the answers. Chairman Pitman asks if the Board would like to discuss and Selectman Barry states, he'd like to propose that they move forward with the temporary fix from Mr. Schibbelhute for now and Vice Chairman McGarry agrees. Selectman Huebner asks how long it will take and Mr. Schibbelhute doesn't have an exact time frame because all the parts that need to come together to start the project do not have exact dates. He would like the temp fix in place as soon as possible though.

Motion: Selectman Barry makes a motion to authorize the road to agent to work on starting and finishing the Range Road temporary repair not to exceed \$82,558.00 unless he speaks to the Board first.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner asks if everything from the temporary fix will be complete garbage at the end and Selectman Barry and Mr. Schibbelhute state no and explain why. Selectman Huebner then asks if it's within the Boards prerogative to circumvent their normal procedures of going out to bid for things and to decide to use a single bid contract and Chairman Pitman states it sounds like Mr. Schibbelhute is going out to bid on everything but the labor and Mr. Schibbelhute states the highway guys will be working on it and if extra help is needed, they'll find it.

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

Mr. Schibbelhute lastly states he provided a list of things to the Board to look over when they have a chance. The list contains areas of roads that should be fixed prior to winter so plows won't pull the asphalt up.

Regular Business

Review of Outstanding Minutes 7/31/2023:

Motion: Selectman Barry makes a motion to approve the minutes from 7/31/2023 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
- Accounts Payable – \$16,851.64

Motion: Selectman Barry makes a motion to approve the accounts payable in the amount of \$16,851.64.

Second: Vice Chairman McGarry

Discussion:

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

Signatures/Correspondence:

- Signatures
 - Final MS535 financial report for the budget period ending 12/31/2022 confirming the auditors agree with it. Mr. Harrington explains this is received from the auditors every year confirming they have completed their work and the BOS signs it and it's then sent to the department of revenue. Selectman Huebner asks if any anomalies were reported and Mr. Harrington states, no.

Motion: Selectman Barry makes a motion to approve and sign the MS535 financial report from the auditors.

Second: Selectman Huebner

Discussion:

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

-Refunds for the 4-H and Boy Scouts. The tax collector needs this for her files. Refunds in the amount of \$239.86 and \$226.70 have already been approved. Mr. Harrington explains that the documents they have tonight need to be signed by the Board so the tax collector can make the corrections in the computer system.

Motion: Selectman Barry makes a motion to approve the signing of the documents so the tax collector can update the computer system.

Second: Selectwoman McHugh

Discussion:

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

-Personnel action request. Kevin Lemieux. Building Inspector. Hours to increase from 30 to 40. \$36.75 an hour.

Motion: Selectwoman McHugh makes a motion to approve the new hours and wage for Kevin Lemieux and for the chairman to sign.

Second: Selectman Barry

Discussion:

Selectman Huebner asks what the basis for the request is.

Selectman Barry states that Mr. Lemieux is taking over the Transfer Station Supervisor position so he will be serving 2 roles now, building inspector and transfer station supervisor.

Chairman Pitman states they need a motion for the chairman to sign.

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

-Joseph and Nancy Damboise. 6 Woodman Road. This is a class VI road and they would like to do some touchups and improvements to the road.

Motion: Selectman Barry makes a motion to approve the work the Damboise's would like to do on 6 Woodman Road.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner would like to know if there are any areas with water that may be of concern, like a watershed for instants, and Mr. Harrington states, no, and that the road agent will also be approving any work to be done.

Selectwoman McHugh asks if this is a one-time maintenance job. Mr. Harrington states that once the agreement is signed, for any further maintenance they do they will just need to contact the road agent prior to any work.

Chairman Pitman states the RSA is RSA 674-41. Mr. Harrington explains the nature of the RSA and why it's being used in this situation.

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

- Correspondence

-Letter from Don Gorman about old-fashioned town meetings.

-Letter from the Heritage Commission. Vice Chairman McGarry reads the letter aloud.

"Dear Select Board,

We are writing to you today to ask that the board actively include the Heritage Commission in the decision-making process with regard to town resources, particularly town owned properties.

The Heritage Commission is a valuable resource for the town, and its members bring to the table diverse skills and a wealth of knowledge. One of our main purposes is to ensure that our town's heritage is preserved and protected. As a town appointed commission there are several activities that come under our mission.

NH legislation allows The Heritage Commission to:

- Survey and inventory all cultural resources.
- Conduct research and publish findings,
- Assist the planning board, as requested, in the development and review of those sections of the master plan which address cultural and historic resources,
- Advise, upon request, local agencies and other local boards in their review of requests on matters affecting or potentially affecting cultural and historic resources,
- Coordinate and publicize activities with appropriate service organizations and nonprofit groups,
- Hire consultants and contractors as needed,

- Receive gifts of money and property, both real and personal, in the name of the town, subject to the approval of the select board, such gifts to be managed and controlled by the commission for its proper purposes.

Our town's history is a valuable asset with deep resonance among citizens, and it is important that we do everything we can to protect it. The Heritage Commission can help to do this by providing guidance and expertise on historic preservation issues including identifying funding sources and grant writing.

We urge you to proactively include the Heritage Commission in your decision-making process especially in regard to town owned historic properties. We are also recommending to the Library Trustees that consultation with the Heritage Commission be part of the Memorandum of Understanding that is under development with your board. Sincerely, Debra Murphy, Chair, Deerfield Heritage Commission"

Selectman Barry explains how the Heritage commission would like the BOS to take them into consideration when it comes to working on town projects that are historic. The Board agrees this would be great.

-Letter from Donald Smith. 17 Penn Ave. Vice Chairman McGarry reads the letter aloud.

"To the Deerfield board of Selectmen,

On August 10th I spent some time with the DOT site manager and the Lead construction Supervisor looking at the current culvert project over 107. During this visit, I questioned the height of the temporary culverts elevation because it seemed to me to be too high to prevent flooding on the inlet side of these culverts. The construction supervisor made the same comment to the DOT site manager and he felt that it could be an issue, but they are already installed and there's not much they can do. When I asked about the level of the road, the construction supervisor said that it was only going to change by about a ½ inch in elevation. At this point, he also stated to the DOT that he had real concerns about the height of the coffer dam only being a foot above water level. This comment prompted the DOT to show me the blueprints for the project, saying that the other issue was that they did not design this culvert to be above the 100-year flood level, that most now consider to be 50-year flood levels.

So, what they are telling us is that this will not be an adequate height for this culvert to handle flooding. During such a flood, the water will crest the culvert and will have the potential to make 107 impassable. Is this what we want to spend all of this money for, to have something that will not correct the problem of our houses flooding?

I am writing this in hopes that the board will immediately contact the state DOT in time to correct this design oversite before it's too late, especially since this also becomes an issue with safety apparatus being able to travel this route during a flood.

Having lived on Freeses Pond for more than 35 years, I am shocked and discouraged that we have waited so many years for them to correct this issue, only to find out that this will not help during a flood.

I encourage all of you to stop by and review this information for yourselves. If nothing is done, I will certainly contact the news media and let them know of this waste of funds on a project that the state knows will not serve our community needs. Regards, Don Smith"

Selectman Barry asks Vice Chairman McGarry if he had a chance to look at all the plans the State had for this project and Vice Chairman McGarry states he was able to get a brief look at the construction plans and he's planning on going out and looking at the installation. Selectman Barry then goes over his thoughts after looking at the plan and why they were told it will work sufficiently and asks Vice Chairman McGarry if he could still take a look at it and Vice Chairman McGarry says he will.

Town Administrator's Report

John Harrington states he has one item this evening. He states the Town Server needs to be replaced and he has provided the 2 bids to the BOS and states Mr. Jamele will be speaking to a third vendor the following day. Mr. Harrington states the server will need to be replaced by October of this year as the current server will no longer be supported by the safety updates. Mr. Jamele will have a recommendation for the BOS by the meeting on August 28, 2023.

Unfinished Business

Public Notice – BOS & Public Meeting on the Budget

-There are two rewrites, one by Selectman Huebner and the other by Vice Chairman McGarry.

Motion: Selectman Huebner makes a motion to use the updated version created by Selectman Huebner.

Second: Selectwoman McHugh

Discussion:

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

-Selectman Huebner asks about any updates with the fair contract progress. Selectwoman McHugh states the contract was reviewed by the fair committee and its coming.

New Business/Other Business

Vice Chairman McGarry brings up the wage and salary survey by MRI that failed a few weeks ago and he would like to know when the prevailing side will be providing the wage and salary survey info that can be found through the NH Municipal Association that the Board can then look at and approve for all 21 positions. Selectwoman McHugh states she'll pull the info together once she has password and Mr. Harrington states he'll call and find out if there's additional info by having a password versus not having one. They all agree this is better handled sooner than later.

Selectman Huebner asks about the progress on the new Road Agent search. Mr. Harrington states, that is what the non-public will be about.

Selectwoman McHugh brings her comment from the meeting about Highway projects popping up and she wants to clarify that it was not malicious. She was not blaming the road agent for looking or causing projects. She feels with so many popping up they need to prioritize what needs to be fixed and she apologizes to anyone if that's how it came off.

Citizen's Comments

- Matthew Burke. Mr. Burke comments on the amount approved to fix Range Road and asks about doing a possible repair or renting a temporary bridge. Chairman Pitman states they will run it by the road agent.

Non-Public Session

91-A:3 II (b) - The hiring of any person as a public employee.

Motion: Selectman Barry makes a motion to go into non-public under RSA-A:3 II (b)

Second: Selectwoman McHugh

Discussion:

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

Chairman Pitman asks for a motion to seal the non-public minutes.

Motion: Selectman Barry makes a motion to seal the minutes from the non-public session.

Second: Selectwoman McHugh

Discussion:

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

Selectman Barry states, note for the record, no action was taken.

Motion: Selectman Barry makes a motion to put the Road Agent position in the Concord Monitor and Union Leader for one week including the Sunday paper.

Second: Selectman Huebner

Discussion:

Mr. Harrington clarifies by asking, the entire week including Saturday and Sunday and they BOS agrees.

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

Selectman Barry brings up the budget and needing to stop the projects because the Town is running out of money rapidly. He would like to have a review at the next Board meeting about this. A discussion of a motion being made is brought up and then seconded.

Motion: Selectman Barry makes a ~~suggestion motion~~ to put a halt on spending and to reassess the budget at the next BOS meeting.

Second: Selectwoman McHugh

Discussion:

Selectman Huebner states he would not want to have to make a discission tonight and would like to wait until the next BOS meeting.

Vice Chairman McGarry agrees and they ask if Mr. Harrington could assemble the budget.

Mr. Harrington states that the BOS members receive a copy of the expenditure report each week that gives an up-to-date view of the budget and where each line is at in the budget season. He then clarifies that it's just highway items on hold for the moment and the Board agrees. The Board then asks him to put budget reassessment on the agenda for the next meeting on the 28th. Selectwoman McHugh asks if this would be for any unnecessary spending or just highway and Selectman Barry replies that he would like to look at all unnecessary spending. He then withdraws his ~~suggestion motion~~ and they will discuss at the next meeting.

The Board agrees that they should not spend any more money from the highway budget line for road reconstruction until they have more info and discuss it at the next meeting.

Selectwoman McHugh withdraws her second.

Vote: Yea 0, Nay 0, Abstained 0 – ~~Suggestion Motion~~ Withdrawn

Adjournment

Motion: Selectman Barry makes a motion to adjourn.

Second: Selectwoman McHugh

Discussion:

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

Next Meeting: August 28, 2023 at 5:30 pm

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

*Corrected minutes submitted by John Harrington
As approved by the Board of Selectmen on 8.28.23*