

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
November 6, 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.

Motion: Selectman Barry makes a motion to allow Selectman Huebner join the meeting remotely.

Second: Selectwoman McHugh

Discussion:

Roll Call Vote: Yea 4, Nay 0, Abstained 0 - Motion Carries

Ray Ellis – Central Station Septic and the George B. White meeting room floor

Mr. Ellis has three quotes for putting in a new septic Central Station. He explains the research he has done, what he has found out about on the septic and leech field at Central Station and why new ones need to be installed. Mr. Ellis and the Board discuss the options and what the best move would be.

Quotes:

1. East Coast Pipe Service - \$14,500.00
2. Carl's Septic Service - \$19,500.00
3. SCI Excavating - \$13,500.00

Motion: Selectman Barry makes a motion to get a septic plan for the both the library and fire department using ARPA funds.

Second: Vice Chairman McGarry

Discussion:

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

Kelly Roberts – TC/TX Department Update

Ms. Roberts states the tax collection process has been going smoothly and then provides an update on the NH HAF Grant. She then lets the Board know that the lean execution process has been completed successfully and that she has out the notice of impending deed today and she needs the Board to review them and get the waivers back to her. Lastly, she updates the Board on dog licensing and the ballot machine selection. Ms. Roberts then answers questions from the Board.

Tax Rate Set

2024 2023 tax rate - \$22.66

Break down:

\$4.54 municipal

\$0.84 county

\$15.63 local education

\$1.65 state education

Motion: Selectman Barry makes a motion to approve \$22.66 as the tax rate.

Second: Vice Chairman Pitman

Discussion:

They verify that monies are not coming back from the school.

Selectman Barry explains why he feels they need to approve it at this rate.

Selectman Huebner explains why he feels it should be approved at this rate even though he loathes to approve it.

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

Selectman Barry makes a statement in the form of a motion. "Being sensitive to the financial stress that this decision may put on many residents in Deerfield, I would like to propose that this Board take notice and ask the residents to fund only one warrant article in 2024, the operating budget, and to not add any additional articles that contain a monetary amount to the 2024 warrant. The Board must be sensitive to the impact that this higher tax rate will have on this community and we should take what steps we can to reduce the financial request asked."

Motion: Selectman Barry makes a motion that the operating budget be the only warrant article this year. That no monetary warrant articles be put forward.

Second: Vice Chairman McGarry

Discussion:

Selectman Barry goes over the previous years warrant articles and why he feels there should be no warrant articles this year other than the operating budget.

Selectman Huebner gives his opinion this proposal part of it being that they cannot stop citizens from creating warrant articles.

Vice Chairman McGarry agrees that they can't stop citizens but they can vote on stopping themselves, the Board, from creating warrant articles.

Selectman Huebner provides his thoughts on what they should instead of this and Selectman Barry counters with why they should.

Selectwoman McHugh gives her views on this motion and why she agrees with it somewhat. The Board continues to discuss whether they should do this or not and then vote.

Roll Call Vote: Yea 1, Nay 4, Abstained 0 - Motion Does Not Carry

Ms. Roberts wants the Board to keep in mind that this tax bill is going to be very tough to collect and she was wondering if the Board had considered some way having the complaints sent to them so it's not only on her office.

Selectman Huebner goes over previous tax rates and what he feels they need to keep it at this new rate.

Selectwoman McHugh asks how they can help Ms. Roberts and Ms. Roberts asks the Board if there is a way they would like to address the citizens when she and her staff are dealing with the comments from the citizens at their office.

They decide that they will find out if a letter from the BOS can be included with the tax bill explaining the tax rate increase.

Health Insurance for Town Employees

There are 3 plans to choose from. Mr. Harrington starts by going over what it would cost if the town chooses to stay with the current healthcare provider for 2024.

The 3 plans are Anthem, the current plan, Harvard Pilgrim and United Healthcare.

Motion: Selectman Barry makes a motion to continue with the current plan, Anthem.

Second: Selectwoman McHugh

Discussion:

Selectman Huebner states he has no questions because he already went through this thoroughly with Mr. Harrington earlier today.

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

Regular Business

Review of Outstanding Minutes 10/23/2023:

Motion: Selectman Barry makes a motion to approve the minutes from 10/23/2023 as written.

Second: Vice Chairman McGarry

Discussion:

Mr. Harrington states that this is for both the public hearing minutes and BOS meeting from 10/23/2023 and Selectman Barry agrees.

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

Selectman Barry asks Chairman Pitman if they need to set a meeting to sign the tax paper and Mr. Harrington states, yes. He states it will be a short meeting for one item that he will set up once the Assessor has it completed. They decide Wednesday at 10:00am will work for everyone.

Vouchers/Payroll Manifest/Accounts Payable Manifest:

- Payroll Manifest – No payroll
- Accounts Payable – \$882,033.06 with \$800,000.00 going to the school

Motion: Selectman Barry makes a motion to approve the accounts payable in the amount of \$882,033.06 with \$800,000.00 going to the school.

Second: Selectwoman McHugh

Discussion:

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

Signatures/Correspondence:

- Signatures
-2 deed waivers. Recommendation from the TC/TX is to sign both.

Motion: Selectman Barry makes a motion to sign the 2 deed waivers.

Second: Vice Chairman McGarry

Discussion:

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

-Letter to the Municipal Association.

"We are writing to notify you which town officials and employees have authority to contact the NH Municipal Association. The Board of Selectmen authorizes the following officials and employees to contact Legal Services directly.

Any member of the Board of Selectmen -Richard Pitman, Frederick McGarry, Cynthia McHugh, Will Huebner, Steve Barry

Town Administrator -John Harrington

Town Clerk/Tax Collector - Kelly Roberts

Planning Board Chair - Peter Schibbelhute

Planning Board Vice-Chair - Frederick J. McGarry

Town Planner - Sylvia von Aulock

Zoning Board of Adjustment Chair- Spencer Tate

Zoning Board of Adjustment Vice-Chair -Anthony DiMauro

Municipal Budget Committee Chair- Terry Roy

Municipal Budget Committee Vice-Chair-Maureen Quinn

All other officials and employees are required to go through the Board of Selectmen or the Town Administrator to contact Legal Services."

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

Second: Vice Chairman McGarry

Discussion:

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

-Oath of Office. Leah McHugh. Member of Municipal Budget Committee.

Motion: Selectman Barry makes a motion to approve the oath of office for Leah McHugh.

Second: Vice Chairman McGarry

Discussion:

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

-Personnel Action Request. New employee. Stanley Zorawowicz. Part-time highway and part-time transfer station.

Motion: Selectman Barry makes a motion to approve the personnel action request for Stanley Zorawowicz and for the Chairman to sin.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner has the Chairman reread the personnel action request.

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

-Letter to Cal Mackenzie, CM Truck & Trailer Sales LLC, from the BOS. Read by Vice Chairman McGarry.

"Dear Cal, The Board of Selectmen would like to thank you for your generous donation of two (2) 8x20 storage containers, a 6x6 mini cube storage container and the temporary usage of a 20-foot shipping container for use at the holiday season as a toy drive storage space.

In addition to the storage units, your offer of \$1,000.00 as the initial donation for a toy drive, benefiting local families, is greatly appreciated and will be utilized for those families that may be facing economic concerns this holiday season.

Your generosity is an example of true community spirit and a visible example of offering to assist those less fortunate.

With sincerest thanks, DEERFIELD BOARD OF SELECTMEN"

Motion: Selectman Barry makes a motion that the BOS signs the letter to Cal Mackenzie.

Second: Selectwoman McHugh

Discussion:

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

-Letter from Avitar read by Mr. Harrington.

"Enclosed is the preliminary 2023 assessment to sales ratio analysis for the Town of Deerfield for the 63 qualified sales using the DRA's normal qualification criteria, which excludes foreclosures, bank sales, family transactions, estate sales and the like. This preliminary analysis indicates a median assessment to sales ratio of 65.8% and a coefficient of dispersion of 11.3. With the Board's approval, I will be happy to forward this information electronically to the DRA for the department's use in establishing the actual ratio. The Selectmen will still need to sign the enclosed certification form and it can be returned to me for electronically uploading into the Mosaic.

As always, please do not hesitate to contact me should you have questions or concerns.

Sincerely, Evan Roberge"

Motion: Selectman Barry makes a motion to sign Avitar's recommendation.

Second: Vice Chairman McGarry

Discussion:

The Board agrees this is matter of fact and they do not have a say.

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

-Veasey Park Commission Letter.

"To whom it may concern, I am expressing my interest in becoming a member of the Veasy Park Commission. I was a member for several years and only resigned because I had moved out of town. I am once again residing in town, so would love to support the park again. Thank you for your consideration, Glenda Smith"

Motion: Selectwoman McHugh makes a motion to reappoint Glenda Smith to the Veasey Park Commission.

Second: Selectman Barry

Discussion:

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

- Correspondence -No correspondence

Town Administrator's Report

Mr. Harrington states he has several items this evening.

1. Request from the transcriptionist, Randi Long, to speak up and slow down so the minutes can be transcribed accurately.
2. Budget update. Per the last accounts payable from 10/30 the budget was 76.6% spent for 2023 leaving \$1,050,00.00 the last nine weeks of the year. With the spending trend of the year Mr. Harrington is estimating, by using an average of the accounts payable and payroll from the last several weeks, that there will be \$45,700.00 left out of the entire budget to go towards things other than accounts payable and payroll which is far less than last year. Mr. Harrington asks the Board permission for him to send out a department wide email asking the departments to keep their purchasing to essentials only for the remainder of the year. He then provides the remaining monies from warrant articles for the roads. Road reconstruction balance is \$121,475.00 and the operational support article has a balance of \$68,796.00. He has requested the Road Agent to stick spending these monies only for the remainder of the year. Winter maintenance trust fund balance for Roads has a remaining balance of \$105,729.00 and will be used as well. This plan should help get the Town through to the end of the year in the positive.

Motion: Selectman Barry makes a motion to approve the sending of an email from Mr. Harrington to all the departments to limit spending to essentials only.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner asks if the warrant article money will be spent on things other than what it's intended for and Mr. Harrington clarifies that this will not happen. Mr. harrington then clarifies what the motion is and his separate recommendation for the Road Agent.

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

3. Amended corrected vote on the corrected final budget number. There was a mistake along the way when manually trying to calculate the number during meetings.

Originally budget amount - \$4,947,312.00

Actual Number after being entered in the system - \$4,964,112.00

Motion: Selectman Barry makes a motion to the approve the corrected budget amount, \$4,964,112.00

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner lets the Board know that this corrected number has already been communicated to the MBC.

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

4. Invoice, \$3,025.00, from RB Lewis. Transmitter replacements for 3 buildings as they all failed; Bicentennial Park, Transfer Station and the pump house. Mr., Harrington asks the Board to approve using funds from the Municipal Government Building Trust Fund to pay for this.

Motion: Selectman Barry makes a motion to approve the use of the Municipal Government Building Trust Fund to pay the invoice from RB Lewis in the amount of \$3,025.00.

Second: Vice Chairman McGarry

Discussion:

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

Unfinished Business/New Business/Other Business

Selectman Huebner states he has a new item. It is a statement he would like to read into the record.

"Having heard a presentation at the Public Hearing of October 23rd, 2023, I feel compelled to publicly respond as follows. The concept of the Town approving automatic contract conversion and the requirement to opt-out is fundamentally wrong and an infringement on personal rights.

The government, whether it be Federal, State, or the Town of Deerfield, has no right to intervene or interfere with any private citizen's contract with any company to provide goods or services. For this Select Board to autocratically, without citizen's express consent, terminate their private contract with Eversource, or anyone else, and negotiate and enter into, without citizen's express consent, a new contract on their behalf with Community Power is government overreach.

If Community Power cannot convince each individual citizen through effective advertising in the free market to "opt-in" of their own free will and volition, then those citizens clearly do not want to initiate any new legal contract with them. Citizens certainly do not want our Town government interfering in our freedom to choose who we buy things from.

The presenter at the Public Hearing was specifically questioned on this point and replied that, "it wouldn't work without the opt-out mandate". I interpret that statement to mean that he is aware from his experience that if he offers this as an "opt-in" program, not enough people will sign up. ANY product or Service that cannot be successful as an "opt-in" by the free will of the customer is not a good product.

The Town of Deerfield should not get involved in picking Winners or Losers when it comes to favoring one company over another. Community Power should not receive any Town government favoritism in competing in the open and free marketplace. Community Power should not be allowed to use Town resources to advertise for their services nor to automatically convert anyone's contracts.

I encourage my fellow Selectmen to join me in rejecting this flawed concept. I encourage Community Power to reconsider and voluntarily withdraw their proposal. I encourage Community Power to sell their services to private citizens in free competition with other vendors on the open market without government interference. Live Free or Die. Don't Tread on Me. Respectfully Submitted by Selectman Will Huebner"

Chairman Pitman asks if anyone has any comments and Selectman Huebner reiterates his point from the statement. Selectman Barry also does not like the opt-out portion either and then he provides his opinion on the Community Power idea and Selectman Huebner reiterates his point view. Vice Chairman McGarry agrees with Selectman Barry.

Selectman Barry states he has couple other or new business items.

1. Ray Ellis' encounter with the Historical Society at the Town Hall. Mr. Ellis was preparing to clean the Town Hall for a rental when a group of people from the Historical Society just popped in to cook lunch in the kitchen. This causes more work for Mr. Ellis and/or could interfere with a paid rental gathering. He would like to see a something from the Board setting up guidelines of when they can use it.

Vice Chairman McGarry asks if Mr. Ellis will provide a blow-by-blow description of what transpired and Mr. Ellis comes to mic and provides his description of what happened and, in the end, he feels it's not right that they can go in any time they like when others have to pay for the space without the Town even knowing they are using it.

Selectman Barry reiterates possibly coming up with a letter to send the Society and he would also like to know when they will be moving their museum pieces to their own building.

Selectwoman McHugh and Vice Chairman McGarry agree that they should be asking to use the Town Hall prior to going in.

Selectman Barry asks if Mr. Harrington will put a letter together for the Board to approve and then send it out.

Selectman Huebner feels a letter is not needed. He feels Mr. Harrington could just speak to them but the other Board members would like to see a letter and Mr. Harrington agrees to write the letter to present to the Board.

2. Selectman Barry asks Selectman Huebner if he's aware he not a member of the MBC and Selectman Huebner states he's an appointed member. Selectman Barry clarifies that Selectman Huebner is appointed to represent the BOS to the MBC and Selectman Huebner agrees. Selectman Barry then goes onto explain why he questions Selectman Huebner's roll as representative of the BOS to the MBC and lastly respectfully asks Selectman Huebner to step down from this roll.

Selectman Huebner responds with what he feels was valid and invalid about Selectman Barry's statement and does not feel he needs to step down.

Vice Chairman McGarry explains that he watched the video of the last MBC meeting and provides his opinion on Selectman Huebner's roll at the meeting.

Chairman Pitman states he has spoken to many citizens and their concern about Selectman Huebner working with the MBC.

Motion: Selectman Barry makes a motion to remove Selectman Huebner as the BOS representative to the MBC.

Second: Vice Chairman McGarry

Discussion:

Selectman Huebner feels he is doing the job correctly and explains his stance and asks to not be removed from the position.

Vice Chairman McGarry states he will most likely vote no but would Selectman Huebner to take this motion as a warning that he needs to be representing the BOS solely and Selectman Huebner agrees to this.

Selectman Barry withdraws his motion and explains why.

Vice Chairman McGarry withdraws his second.

No Vote Taken

Non-Public Session

Citizen's Comments

- Erroll Rhodes. Church Street. Chair of the Community Power Committee. Mr. Rhodes provides his feelings and point of view on the statement made about Community Power during the meeting and why he feels this way.
- Harriet Cady. Ms. Cady begins by explaining her opinion on Community Power and why she feels the way she does. She goes on to give her opinion about the responsibilities of the BOS representative to the MBC and then she wraps back around to her thoughts on Community Power.
- Kevin Verville. McCarron Road. Mr. Verville provides his opinion on the budget and where it's at as of November and how he feels the budget should be created.

Adjournment

Motion: Selectman Barry makes a motion to adjourn.

Second: Selectwoman McHugh

Discussion:

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

Next Meeting: November 20, 2023 at 5:30 pm

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