

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
November 19, 2018  
MINUTES**

**Call to Order**

5:30 pm – Chairman Pitman called the meeting to order

**Present:** Richard Pitman, Chairman; Andrew Robertson, Vice Chairman. Fred McGarry, Jeff Shute and Cindy McHugh, Selectpersons.

**Pledge of Allegiance to the Flag**

Chairman Pitman asks all to rise and pledge allegiance to the Flag

**DCC Conservation Easement – Thurston Pond Road – Kate Hartnett**

Serita Frey, Conservation Commission Chairperson.

Ms. Frey stated that she was at the meeting to talk about a new easement project that they haven't talked about before as this is very recent. This is actually an easement donation. Kate Hartnett is selling her property in Deerfield and as part of the sale, has agreed to put a conservation easement on the property.

It is a donated easement that will stay on private property and the Conservation Commission has an easement document which she stated that she thought Mr. Harrington had.

Ms. Hartnett has signed the document and it will be held by Bear Paw and they have also signed the document. The reason that she was there is it is her understanding that the town needs to sign. The reason that they are requesting this is that Deerfield holds an executory interest in the easement which she thought means that if Bear Paw monitors the property and they find something amiss, they could bring it to the town and the town would be involved in deciding what would happen on the property.

Ms. Frey continued that this is similar to the easement done a few years ago.

This is a request for the Board of Selectmen, if they are so moved, to sign the document.

**Motion:** Vice Chairman Robertson moves to accept the Thurston Pond Road as given by Kate Hartnett

**Second:** Selectman McGarry

**Discussion:**

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

Ms. Frey stated that because this is a donation, no town funds need to be expended.

Chairman Pitman read the following letter into the record.

“On November 19<sup>th</sup>, 2019, the Board of Selectmen would like to recognize Katherine Hartnett, for over thirty years as a Deerfield resident, has worked on the Planning Board and Conservation Commission diligently to help shape the residential and commercial growth to fit into the Deerfield landscape that we grow into a small New England town as the vision statement of the 1999 Master Plan.

Kate has volunteered countless hours helping to steer a course in our community to balance not only managed growth but Conservation efforts as well. Kate has been quick to volunteer when her efforts were needed here. The community should feel fortunate that Kate Hartnett decided to choose our town her home for so many years. She leaves a legacy that affects and will be enjoyed for countless generations to come.

The Board of Selectmen say “thank you” and wish her well in her future endeavors.”

Ms. Hartnett approached the Board and thanked them.

Ms. Hartnett stated that the plan is that Dan Kern is planning to be at the offices in the morning to pick up the agreement and record it so as long as Mr. Harrington has it in the morning, that is when Mr. Kern will be coming for it.

**Regular Business:**

**Review of Outstanding Minutes – November 5, 2018**

**Motion:** Vice Chairman Robertson moves to approve the minutes as written

**Second:** Selectman Shute

**Discussion:**

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

**Payroll Manifest - \$61,244.36 (gross), \$48,200.70**

**Motion:** Vice Chairman Robertson moves to approve the payroll manifest

**Second:** Selectman McGarry

**Discussion:**

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

**Accounts Payable Manifest – \$37,033.91**

**Motion:** Vice Chairman Robertson moves to approve the accounts payable manifest

**Second:** Selectman McGarry

**Discussion:**

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

**Emergency Action Plan – Deerfield Fair**

Chairman Pitman stated that he needed to read a paragraph into the record.

“The Select Board by a majority vote, accepted the terms of the Emergency Management Performance Grant as presented in the amount of \$5,000.00 for the development of an emergency action plan for the town’s local fair. Furthermore, the Board acknowledges that the total cost of this project will be \$10,000.00, for which the town will be responsible for a 50% match which is \$5,000.00.”

**Motion:** Vice Chairman Robertson moves to sign the Emergency Management Grant agreement with the Deerfield Fair Association

**Second:** Selectman McGarry

**Discussion:**

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

Chairman Pitman asked Selectman Shute if he would like to read the Parks and Rec Personnel Action Request.

Selectman Shute stated that they had a Personnel Action Request for eleven Parks and Rec staff members that increases their hourly wages.

Phil McPherson - \$11.26 to \$13.91

Greg Berglund - \$14.26 to \$14.33

Timothy Hauser - \$8.00 to \$10.00

Laura Howe - \$8.00 to \$10.00

Amanda Gamache - \$8.00 to \$10.00

Colin Branson - \$8.00 to \$10.00

Kerrie Furtado - \$12.10 to \$12.61

Alissa Papalardo - \$8.00 to \$10.00

Cameron Treantafel - \$8.00 to \$10.00

Eric Sullivan - \$8.00 to \$10.00

Emily Pelletier - \$8.00 to \$10.00

**Motion:** Vice Chairman Robertson moves to approve the requested Personnel Actions read by Selectman Shute

**Second:** Selectman Shute

**Discussion:**

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

**Town Administrator's Report:**

Mr. Harrington stated that he had four items for the Board.

Mr. Harrington stated that he would ask that the Board read the request from the Trustees of the Trust Fund so that it can be discussed and a decision made on their request for "management fees" being in the budget for next year for the trust fund.

Second of all, some of the Board may have heard that they had a town hall sprinkler pump issue. That issue has been resolved. It was repaired by R.B. Lewis. There was a valve issue that has been repaired and tested and seems to be working. He stated that he had Ray Ellis here tonight if the Board has any follow-up questions for him about that issue.

There is also some work in the plumbing at the fire station that is going to be needed in the near future.

For those of you that don't know, the Library shares its water supply with the fire station. The way it's done currently is that the water comes untreated from the well directly to the Library which is prematurely destroying the plumbing at the Library. They just had to replace an instant hot water heater due to the untreated water.

What is going to be done is to have a plumber come in and reroute the water that comes in to the Library so that it comes into the water treatment process in the fire station before it goes to the Library. Mr. Harrington stated that he has already been working with Chief Fisher around that. He is going to grant access so that they can do that in the near future.

Last but not least, in the Board's packets, they had the current revenue report and the draft default budget that will be presented, if there are no changes, to the Municipal Budget Committee tomorrow evening.

Vice Chairman Robertson asked if they needed a motion or a presentation regarding the management fees for the trust funds.

Mr. Harrington stated that it would help and the Chairman stated that it wouldn't hurt to have it.

**Motion:** Vice Chairman Robertson moves to approve the payment of management fees as directed by Trustees of the Trust Fund which \$10,000.00 should be budgeted.

**Second:** Selectman Shute

**Discussion:** Vice Chairman Robertson stated that he could present that to the Municipal Budget Committee the following night.

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

Selectman Shute had a question regarding the water system and asked if there was a filter system at the fire station at this time to which Mr. Harrington stated yes and will have the well water go through that before it goes to the Library.

Chairman Pitman wanted to confirm that all the water going through the faucets at the fire station is being treated to which Mr. Harrington stated yes. For some reason, when they routed the Library, it didn't go through the water treatment at the fire station.

Select woman McHugh asked if there was a price to do that work to which Mr. Harrington stated that it shouldn't be exorbitant but that he didn't have a quote.

Mr. von Hassel, from the Trustees of the Trust fund just wanted to speak in order to clarify that motion.

He asked if they needed to make a presentation to the MBC or was Vice Chairman Robertson going to bring it to them to which the Vice Chairman stated that at this time, his intention is to bring it to the MBC who are going to meet tomorrow night. They don't have the Trustee of the Trust Funds listed as a topic he didn't believe, on their agenda. He stated that they have the low hanging fruit. This is the first look at the budget so he will bring it to them.

Certainly, if there are any questions, he would definitely ask them if they will need an explanation.

Mr. von Hassel stated that the reason **(COULDN'T TRANSCRIBE as there were multiple conversations going on and I don't think Mr. von Hassel was speaking into the microphone) starting 15:35**

**(15:38)** The revenue generated from these trust funds goes to pay the management fees. His concern is that as those funds are depleted, that the revenue may not manage, or be sufficient enough to cover those management fees so that is why they are asking for the \$10,000.00. Clearing if they don't need it, it would just sit there.

Again, Vice Chairman Robertson stated that he would bring it up to the budget committee tomorrow night. If they have questions, concerns or would like a further explanation he would get right back to the Trustees.

#### **Unfinished Business:**

The town surplus policy will be discussed and voted on at the next meeting.

#### **Fire/Rescue Surplus**

Chief Fisher stated that he just wanted to come in and follow up on the last time he was there after they had their clean out work session.

He stated that there were four or five target items that the Board was looking for pricing on or what their approximate value was.

He stated that he did a little research online, eBay and such to get some prices for some of the items.

The poly water tank that was there, he found some prices online for around the \$250.00 mark. The Indian tanks were more around the \$50.00 mark. The ice auger ranged from around \$180.00 to \$300.00, that may be hit or miss. The garage doors from what he found, might be \$1,000.00 but those will be pretty specific for a person needing that size or building something that could use that size.

The compressor, he found a range of \$75.00 to \$340.00 for something that is in good, working condition before it was taken out of service.

He didn't know how the Board wanted to address surplus these whether they get advertised for sealed bids and everything else gets sold for a donation. He didn't know how the Board wanted to proceed with this.

Vice Chairman Robertson stated that his recollection is that the fire department has some 40-50-year-old trenching mauls in there, spades and rakes in there that are about the same age. He thought for those types of items he thought if the fire department wanted to have a day that they wanted to get rid of them but that he didn't see much use in taking sealed bids for those items.

Maybe on the tank they should take sealed bids.

Chairman Pitman asked if they were still talking about an auction in the spring to which Vice Chairman Robertson stated either auction or tag sale. He continued that it was discussed so it is open to the town.

Chairman Pitman asked if Chief Fisher had room until spring for the better items to which he stated that they could probably fit the garage doors back in the storage unit. The hose is the issue but he stated that he could probably find a home for it. It could be something that people could come and get.

Chairman Pitman stated that he didn't think the hose was a high priority and Vice Chairman Robertson stated with regard to the hose, if they could get word out that the fire department has surplus hose and if people would like it for docks, to please call the fire department or come get it as fast as you can.

Chief Fisher stated that according to the Board, they are going to have an auction in the spring to which Chairman Pitman stated yes if that will work for the fire department, storage-wise.

Chief Fisher stated that they hadn't done anything with the stuff in a while and didn't see them doing anything with it in the next six months. What ever process is needed and get ironed out so that in the spring when it is advertised, whoever wants it, can come and get it.

Chairman Pitman stated that he thought that they would try to have fire/police and any other town departments to have one day to open it up to the town to keep it fair. He stated that they would finalize it next Monday night.

Chairman Pitman asked members of the Board what they thought about the hose and whether the Chief could get rid of it to which they agreed that would be okay.

Chief Fisher stated that besides what they have collected outside, he thought there were another ten rolls of hose inside. Certainly, whatever doesn't get dispersed or taken this fall, they will have some more for docks this spring. He thought that they would have a hard time getting rid of the quantity that they have at this time.

Chief Fisher stated that the parts and pieces are falling in line with the new cascade system. He didn't want to make the swap until they had a place for the old one to go. There are two departments that he has heard from that might be interested. He was not sure what the Board's wishes are in this regard. He stated that he doesn't have a place to keep the old one so he will schedule taking the old one out of service and putting the new one in service at the same time.

Chairman Pitman stated that they were taking the old one out of service because it still works but it wasn't what he wanted to which Chief Fisher replied no.

Chief Fisher stated that they were taking the cascade system out of Rescue 2 and at the same time upgrading the system to a 6,000-psi system.

Chairman Pitman asked if there was any value in the system, that was being taken out to which Chief Fisher stated not to the department.

Chairman Pitman asked if there were any value for other towns?

Chief Fisher stated that financially, there may be but he was thinking in the scheme of the fire service, they recently had donated, ten portables that saved the town almost \$30,000.00. He thought that if they could find a less fortunate department in the state, that donation would be the way of the fire service.

Vice Chairman Robertson stated that they have been discussing this off and on since July and he didn't have a problem with authorizing the fire chief to dispose of it as he sees fit.

Chairman Pitman asked if it was going through the town or the company that the town bought the new system from to which Chief Fisher stated that it would go through the town. He would be writing a letter to which ever department it gets donated.

Select woman McHugh stated that she thought that the old cascade might be worth some money to which Chairman Pitman stated that he couldn't think that it wasn't especially for a smaller town. It wouldn't be something that could be auctioned off to local people unless you tell people to come that could use it.

Chairman Pitman asked Select woman McHugh how they would find out what it was worth to which she answered it could probably be appraised. She asked if it could have been used as a trade in.

Chief Fisher stated that no, it was not part of the bid. His understanding of the process is that the company that they were buying the new one from does not participate in trade ins. They don't want the liability of taking the old equipment and selling it as "used". It's not something that they are involved with. They may help facilitate with a trade but it is strictly between the municipalities.

Select woman McHugh stated that she thought that they should contact the company that makes that brand and see what they think it is worth. They might be able to get some money for it.

Chairman Pitman stated that the company might know a town that would want it for a price. He asked Chief Fisher if he could get back to the Board by next Monday with a price which is when they will decide.

Select woman McHugh stated that Chief Fisher was talking about a donation to a town to which Chief Fisher stated that this was his original intention.

Chairman Pitman asked Chief Fisher to find out if there is any value in the system for next Monday. Give the Board some options regarding gift versus value.

**New Business:**

Vice Chairman Robertson stated that he would note as he mentioned earlier that the town budget review with the budget committee will start tomorrow at 7:00 p.m. He mentioned in passing that they will start with the fairly easy, innocuous small budgets that don't change much.

Chairman Pitman stated that the Board needs to approve the Winter Plow/Sand contracts tonight.

CJD Dirtworks, LLC  
Kevin Fisher (two trucks)  
Steve Rollins  
Paul M. Smith  
Kevin Young

East Coast Signals  
Manchester Paving and Seal Coating  
Gary B. Sanborn  
Jonathan C. Winslow  
Mark Young

**Motion:** Selectman McGarry moves to approve the Winter Plow/Sand contracts mentioned

**Second:** Vice Chairman Robertson

**Discussion:**

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

While the Board is signing contracts, Selectman McGarry stated that he talked with Jack Sherburne and he had said that Judge Bean, which by the newspaper article in the Concord Monitor, is 100 years old and living on South Road. Judge Bean had contacted Jack and told him that he was not interested in getting the Boston Post Cane plaque and was quite happy that Jack retain that. He just wanted to pass that information along.

Chairman Pitman asked if the judge was a resident to which it was answered that he was and thanked Selectman McGarry for the information.

Chairman Pitman stated that after seeing that article in the paper, he didn't know where that was heading.

For the record. The town's Deliberative Session will be Saturday, February 2, 2019 at the Town Hall.

**Motion:** Vice Chairman Robertson moves to go into Non-public session under RSA 91-A:3, II (I), Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

**Second:** Selectman Shute

**Discussion:**

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

Chairman Pitman stated that for the record, no action was taken in the non-public session and would entertain a motion to seal the minutes of the non-public session.

**Motion:** Vice Chairman Robertson moves to seal the minutes of the non-public session

**Second:** Selectman McGarry

**Discussion:**

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

**Motion:** Vice Chairman Robertson moves to exercise the assessing company, Avitar Associates of New England, recommendation to settle the ongoing evaluation dispute with NNETC, Northern New England Telephone Company, also known as FairPoint for the years 2016, 2017 and 2018 for an expenditure of \$10,912.00.

**Second:** Selectman Shute

**Discussion:** He would further note that this has been reviewed by town counsel and they are in general agreement and recommendation.

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

**Citizen's Comments:**

**Jerry Seales – 141 South Road**

He has come before the Board to ask for an extension. It has taken the last five years to track down the owner and he has got an agreement.

He thought that in the springtime, the Board generously waived the interest and penalties but however he might have jumped the gun a little bit. He never got the paperwork back until September. He stated that he talked with Kelly in the tax department in August and explained to her the situation that he was waiting for paperwork to come back and hopefully when he got it, it would be filed so that the deed could be recorded.

He continued that he could refinance it, pay the taxes, the whole thing and he could start working on the property.

About two weeks after he talked with Kelly, he received a letter from Mr. Harrington that was typed a little nasty he thought but it asked why hadn't he recorded the deed. He stated that he had just gone over this with Kelly a couple of weeks ago.

When said that when he had talked with Kelly, he stated that he would start to pay the taxes, even though it wasn't in his name, she didn't have a problem with that.

He stated that he got his checks back in the mail with a note stated that he had no interest in the property because it wasn't recorded in his name.

Now he gets notice that he is getting foreclosed on the property. First of all, Deerfield must be the first town in the United States that you can't pay somebody else's property taxes. He stated that he has a house in New York that you go in, pay somebody else's taxes.

He's asking for an extension on the foreclosure of the deed for taxes. He stated that he talked with his lawyer today and there is one paper he is still waiting for that was not sealed properly and that is what they are waiting on to get the deed filed properly.

He has no reason not to record the deed. He would have liked to had it done back in the springtime when he was first here but when the owner is out of the country and they are doing everything by email, it's not like he can go and get the deed from them or get the signatures from them.

Nobody has touched the property or paid the taxes in eight years. He realizes that it is a sizable amount. But when he got the original paperwork back in September, and here it is November and the town is saying that it hasn't been filed, forget it, we are going to foreclose on you. He continued to say that a little bit more time would be nice since it has taken him five years to get this far.

Chairman Pitman stated to Mr. Seales that this is Citizen's Comments so the Board can't respond but you can come in tomorrow morning and meet with Mr. Harrington.

Mr. Seales stated that he has already talked with Mr. Harrington and was the person that sent him the letter to foreclose on the property.

Chairman Pitman asked Mr. Seales if he would like to get on the agenda for next Monday to which he asked what the date was to which it was answered, the 26<sup>th</sup>.

Mr. Seales stated that he has to be in New York that day but would try to get back for the meeting Monday night.

Chairman Pitman stated that this what they could offer as of now. There is a form to fill out to get on the agenda.

Mr. Seales asked where he could get the form to which it was stated that it was online.

**Harriet Cady – Old Centre Road**

Ms. Cady stated that there is at least a page or two pages in every Town and City Magazine where towns put up property they want to sell; garage doors, compressors, you name it.

Ms. Cady stated that what she heard tonight was to let the Chief give away equipment to another town and also heard Select woman McHugh stated that it should be worth something.

Ms. Cady asked why wasn't the worth of the property asked for from the company that did the cascade system if there is a value to it.

The storage for the town, there is still room in the G. B. White Building, as she understands it, to put evidence from the police department in. Of her knowledge, there hasn't been an auction on that stuff for years. Maybe there is room in that room for some of Chief Fisher's stuff.

The pump went bad for the sprinkler system in the town hall. Mr. Ellis stated that they caught it before it did any damage to the pump or more importantly to the plaster walls that the town paid a fortune to have that rotunda done with fundraising from Joanne Wasson and Nettie Farr, many, many years ago.

If that plaster had been damaged, you have to weigh the system. If you had a fire in there, the water will do as much damage to the walls as the fire. They wouldn't have to replace the building but they would have to tear out every wall from the water damage whereas the fire, they would probably have to replace the building.

She thought that there was an alarm system on the sprinkler system. There isn't apparently on the pump. That is something that should be.

The last item is the one that is irritating me the most, so much so that she may go to court which is the giving of raising that were not in the budget in March. She stated that she has told the board. She has given the Board the court case that they are not to give raises unless they were approved by the taxpayers at the March meeting.

She stated that she realizes that it is only a Superior Court decision but it's based on law that the taxpayers have a right to know what they are spending and that revolving fund belongs to the taxpayers. They may think that just because it is in a revolving fund, they can spend it. That's not true. She stated that they should make sure that they check it good because there is court precedent on this one.

**Motion:** Vice Chairman moves to adjourn

**Second:** Selectman Shute

**Discussion:**

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

**Next Meeting: Monday, November 26, 2018 at 5:30 pm**

*The Minutes were transcribed and respectfully submitted by Dianne L. Kimball, Recording Secretary  
Pending approval by the Board of Selectmen*