

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
April 1, 2019
MINUTES**

Call to Order

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

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

Pledge of Allegiance to the Flag

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

Chairman Robertson stated that before they got into the regular agenda, he would like to take a minute to offer the Board's condolences to Nick, the Parks and Rec director who lost his father this weekend at far too early an age for him to be gone.

Chairman Robertson stated that the first appointment is Serita Frey of the Conservation Commission. He didn't see Serita and was going to hold off for a few minutes. He thought that the Board could handle what she needs to have handled if she doesn't show up pretty easily and moved to review the outstanding minutes.

Regular Business:

Review of Outstanding Minutes of March 25, 2019

Motion: Vice Chairman Pitman moves to approve the minutes of March 25, 2019

Second: Selectman Shute

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Chairman Robertson stated that they would hear Serita Frey of the Conservation Commission as she has just arrived and stated that he believed that it was in regard to the Gile Bye and the Marston Farm Property.

Ms. Frey stated yes and also to give a quick quarterly report.

Ms. Frey stated that the first item is that Gile Bye contacted the Conservation Commission asking for a letter basically saying that she donated 129 acres to the town as a town forest. This would be for her tax purposes for her tax filing and they provided the Board with a letter that they could hopefully sign if they were willing.

Chairman Robertson stated that in the interim, Ms. Bye's accountant contacted him and said that she actually needs an IRS Tax Form 8283 signed which is essentially the IRS's version of the letter so he thought that if they signed both of them, the letter from the Conservation Commission and the IRS Form 8283.

Basically, these forms are acknowledging the transaction where Ms. Bye donated the \$99,000.00 value portion of the land before the Conservation Easement was purchased and she needs official notification that the town accepted the \$99,000.00 donation for the IRS.

Ms. Frey asked the Board if they already had the form that is required to which the Chairman stated that they did have the form and he had the Conservation Commission's letter and thought that they would sign both of them and get them to Gile.

Ms. Frey stated that she would do whatever made the most sense to which the Chairman stated that he would give Ms. Frey the letter and Mr. Harrington could get the IRS form to her accountant who is waiting for it.

Chairman Robertson stated that before the Board signed the form and letter, that perhaps Ms. Frey could give them the quarterly update, that would be great.

Ms. Frey stated that their clerk sent the summary to Mr. Harrington. She didn't know if the Board members have had a chance to look at it but it didn't matter. So that it is in the public record she'll just go through it quickly.

This is an update from the last several months of what they've accomplished as a conservation commission.

The first item is that they have completed a number of projects over the last couple of months which she thought that they were probably aware of but to get it into the public record, they have completed the Marston Farm Project which included the donation from Gile Bye that they just mentioned.

In addition to putting a conservation easement on another 38-acre parcel that is part of that Marston Farm and the purchase of that easement to distinguish the development rights on that 38-acre parcel. Just as a reminder, that was funded through a variety of mechanisms including a transaction grant that Bearpaw Regional Greenways acquired, a \$50,000.00 grant from an anonymous donor, a \$50,000.00 grant from the Land and Community Heritage Investment Program (LCHIP) and a contribution from the Conservation Fund.

They have also finally completed an easement on the Boisvert Town Forest which has been several years in the making and that brings the Boisvert Town Forest up to speed, so to speak, with all the other town forests that they put conservation easements on a few years ago.

They also recently completed a conservation easement on a donated parcel. This is a 23-acre parcel that Kate Hartnett donated on Thurston Pond Road which was sort of in conjunction with her donation of that easement with saying goodbye to Deerfield and moving to the north country after 31 years on the Conservation Commission so they just wanted to once again acknowledge her contribution.

They also lost a second member, Ben Minard who moved to Vermont and therefore welcomed a new member, Brian Adams. They have a couple of other folks who have been talking with them, coming to their meeting and whatnot who are interested in getting involved.

The last couple of items, as she thought they were aware, is that they reviewed an Eversource application to the Planning Board for a conditional use permit and the Conservation Commission provided some recommendations to the Planning Board regarding periodic monitoring of the site. This is for their grounding rings project.

They made some recommendations regarding monitoring of the site, both during and after the completion of the project.

Finally, they have reopened a conversation with the town planner, Sylvia van Allock, in conjunction with the Planning Board regarding wetland buffers and what they might want to do as a town around those.

She stated that this was her update.

Chairman Robertson thanks Ms. Frey and asked the Board if they had any questions for her.

He continued that if she wanted the letter before she left, he didn't think that they needed a motion for the letter as they have already approved the actions that the letter is affirming and the letter that the Conservation Commission has provided needs signatures from everyone.

Selectman McGarry asked Ms. Frey where the Boisvert Town Forest was and she replied that it is near the Epsom town line on a discontinued road, Dow Road, that is off of Swamp Road.

Chairman Robertson stated that he thought that there were a couple of ways in. There's the original Dow Road that is actually a private residence driveway now. It comes off of Mt. Delight or you can drive down Swamp Road and right as you get to the Epsom line and Swamp Road turns into Mt. Delight Road in Epsom, there's a dirt road on the right-hand side that runs off there that you can take up through.

Ms. Frey stated that it is a very nice parcel. She believed it is about 128-acres.

Chairman Robertson added that it is contiguous to some other town-owned property to which Ms. Frey stated that it is close to it. Right next to it there is another property but on the other side is the Quarry Wildlife Management State Land.

Chairman Robertson stated that the Quarry Wildlife Management State Land is there and there's also another large town parcel in there and Green Crow has a little bit of property but it makes it in total there's got to be over 1100-acres in there now between towns, state and another property so it is one big chunk.

Ms. Frey added that it is very secluded and there are some nice woods roads to walk on.

Ms. Frey asked if she should take her letter to which the Chairman stated, yes and that he had some other tax paperwork to take to Ms. Sorak this evening and will bring that along.

Accounts Payable Manifest - \$51,750.85

Motion: Selectman Shute moves to approve the accounts payable manifest as presented

Second: Selectwoman McHugh

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Signatures:

Chairman Robertson stated that he didn't think that they needed a motion for the Form 8283 that he referenced with regard to Gile Bye but there is only one signature line on the form so he would ask for a motion authorizing the chairman to sign the form.

Motion: Vice Chairman Pitman moves to authorize the chairman to sign the IRS Form 8283

Second: Selectman Shute

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Request for Refund from the Town Clerk/Tax Collector – the mortgage companies sent the payment for the same address, wrong town, Map 424, Lot 51.

First name Loretta from Covenia, CA in the amount of \$219.99

Second – Nationstar Mortgage in the amount of \$2,582.00

Third – East-West Bank in the amount of \$4,945.21

All three requests have been vetted by the town clerk/tax collector and Ms. Roberts recommends the refunds.

Motion: Vice Chairman Pitman moves to authorize the three refunds for the amount listed by the chairman

Second: Selectman McGarry

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Chairman Robertson stated that there were a number of appointment requests.

The first is from the Cemetery Commission and they looking to appoint Sam White of Hartford Brook Road as an alternate.

Motion: Vice Chairman Pitman moves to appoint Sam White as an alternate to the Trustees of the Cemetery with a term to expire 4/30/2022.

Second: Selectman McGarry

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

There is a request from the Zoning Board of Adjustments to reappoint Joshua Freed as a full Board of Adjustment member with a term of office through April, 2022.

Motion: Selectman McGarry moves to appoint Joshua Freed to the ZBA through April, 2022.

Discussion: Selectwoman McHugh

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

A request to appoint an alternate member to the Zoning Board of Adjustments. The person that has been nominated by the Board of Adjustments is Harry Hotaling with a term of office also through April, 2022.

Motion: Vice Chairman Pitman moves of approve the appointment of Harry Hotaling as an alternate to the Zoning Board of Adjustments through April, 2022

Second: Selectman Shute

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

A request from the Heritage Commission to reappoint Frances Menard as a Heritage Commission member with the term of office through April 30th, 2022.

Motion: Selectman McGarry moves to reappoint Frances Menard to the Heritage Commission with a term to end 4/30/2022.

Second: Selectwoman McHugh

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Another request by the Heritage Commission to appoint Debra Boisvert as a full member through April 30th, 2022.

Motion: Selectman McGarry moves to appoint Debra Boisvert to the Heritage Commission, term ending 4/30/22

Second: Selectwoman McHugh

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Chairman Robertson stated that there were a number of informational pieces in the correspondence file that don't require the Board's action.

One that doesn't require any action on the part of the Board but that he was going to make note of is that they have received a letter from Charles and Cynthia Kelsey who had a family, medical emergency at their property and they afforded a letter expressing their deep thanks and gratitude for the action that they received and specifically mentioned the police chief, fire chief, Cynthia McHugh, the rescue captain and also named the folks involved including Sergeant Lavoie and Alexander Mollett who showed up and assisted with the emergency that they had and it's a heartfelt letter and he thought that it spoke extremely well of the rescue, police department and fire department.

Town Administrator's Report:

Mr. Harrington stated that he had one item that he needed to get back to the Board on and that is that he did contact Avitar on behalf of the Wolfgrams who came before the Board last week and they will be connecting with them to have a discussion.

Unfinished Business:

Chairman Robertson stated that he asked Mr. Harrington to add this which was the Police Department Building Committee Status.

Obviously the warrant article that was proposed by the building committee didn't pass so there's no funding to work with that committee, however, there are members of the committee interested in doing whatever they might to consider possible options for the future without spending any money and his response to the members that contacted the chairman was that the Board had created the committee and they really needed to have a conversation at the Board level before they decided whether they wanted to reconstitute it or not.

He thought that if they've got interested citizens that are interested in continuing to work in this in this manner that they should encourage and authorize them to continue but he didn't know if the rest of the Board had thoughts regarding this or not.

Selectman McGarry stated that he certainly agreed that it should continue. He thought that the community had a lot of good input and it was just unfortunate that they couldn't convince 18 people to change the vote and corrected to 9 people.

Vice Chairman Pitman stated that he agreed with Selectman McGarry and that they did a lot of good homework and didn't want to see that go away without building on it.

Chairman Robertson stated that he would notify everyone that was on the committee originally that the Board would encourage them to continue although they couldn't offer any funding or much resource. The Board appreciates their efforts and would like to see them move forward.

Town Mowing: Requests for Bids (RFB)

Chairman Robertson stated that he would turn to Mr. Harrington first and acknowledge Mr. Ellis as necessary.

Mr. Harrington stated that they had two sets. You have the original one that he sent them to review and then just this afternoon, he received some suggested edits and you'll see that in track changes in red.

The suggested changes affected both the actual invitation to bid and the vendor bid form which is attached at the back. He stated that he had the facilities supervisor at the meeting, Mr. Ellis, to answer any questions you might have on his input for this request.

Selectman McGarry stated that the suggested changes basically came from him. He felt that it would not be a good idea to leave a comment column in there on the bid sheet primarily because we could be looking at people making things apples and oranges comparison by them putting comments in.

All his experience in the past with the major bidding projects, you don't put an opportunity for people to put comments in and qualify their bid. Have everyone bid with using the same sheet with the same items and then go from there.

The other suggestion he had and he would leave it with the Board members but he found with the exception of Hartford Brook and Bicentennial Field, they should have all those other items, as items of work, which would make up the base bid and then the Hartford Brook and Bicentennial Field would be alternatives which should be added to the base bid to come up with the bottom line.

The wording in the invitation for bids says that the award would be based upon the base bid plus two alternatives but the town would have the option to strike one or both alternatives depending upon the availability of funding to do the work. This would put the Board in a good position if the bids come in good and enough funds are available for one or even both of the alternatives to proceed with the work but if the bids are too high, they could strike them both and just go with the base bid.

Chairman Robertson stated that he thought it made sense.

Vice Chairman Pitman stated that he didn't agree with all of that above as one price. He thought that it was such a different machine for doing the transfer station up on the hill, which would be a bush hog and attachments and somebody that mows lawns wouldn't have that and he thought that it's going to cost the town more in the end and the same with water holes and the cisterns. It's more weed whacking than mowing. Why they couldn't they open it up to more people if they had three options on the top and the bottom two. Someone might just want to do the water holes and the cisterns and somebody might have a bush hog that they could do the transfer station. He thought that this would save the town money if they break it up that way.

Selectman McGarry stated that the question that he has is how do they award a bid?

Vice Chairman Pitman stated that it would be a bid.

Selectman McGarry stated that he assumed that somebody's going to be bidding on all of these items and they would come down to award based upon the totals of those items. If they don't do that, then he thought that they would have to have separate bids for all these individuals.

Chairman Robertson stated that he thought that is what the Vice Chairman is trying to say and he agreed that it was.

Vice Chairman Pitman stated that someone that mows lawns might not have a tractor with a bush hog to do the transfer station.

Chairman Robertson stated that he thought that they have had these, and he didn't remember exactly, but he thought in the past they have separated the transfer station from the regular mowing bids and some of that is because they did that in-house.

He continued that he thought that the Vice Chairman was making good sense that someone who is interested in mowing the ballfields, may well not be interested or may not have the equipment at all to do the transfer station so maybe they wanted to break out the transfer station and fire holes out as a separate bid.

Vice Chairman Pitman asked why they couldn't have five options, total? If you are going to keep the ballfields, one and two, the mowing would be three, water holes would be four and the transfer station, five.

Selectman Shute stated that if they have different contracts that aren't going to do all and the vice chairman stated that they could bid on all and Selectman Shute stated no they couldn't.

Chairman Robertson stated that they could make multiple bids if they wanted the work.

Vice Chairman Pitman stated if they had the equipment, they could put in five prices. If they don't, they don't have to.

Selectman McGarry then asked how they would determine who won the bid.

Vice Chairman Pitman stated that would be easy. It would be who had the lowest transfer station bid.

Chairman Robertson stated that what he thought the vice chairman was saying is that it would be broke down into three or four invitations or five invitations as opposed to just one.

Selectman McGarry agreed that that could be done.

Vice Chairman Pitman stated that it wasn't that confusing. If they had those prices and everyone would be entitled to bid on every one of them.

Selectman McGarry stated that they would have to break them up and Vice Chairman Pitman agreed. So, there would be one bid for mowing, one bid for the transfer station and you might want to include the transfer station with the water holes and cisterns, he would think because that would essentially be similar.

Vice Chairman Pitman stated that you could have those as one and then the other is one if you wanted to simplify it.

Selectman McGarry stated that you could actually have four, essentially, four different people to which the vice chairman and chairman agreed.

Selectwoman McHugh stated that she had a question about the ballfields. She asked if they purchased mowers for Parks and Rec to do this themselves?

Selectman Shute stated yes, they did. One of them needs to be replaced. It's almost ten years old. He continued that they are looking to get a number as to what it would be and then figure out is it worth buying a machine to do something. Is it worth their time to be down there doing it, so it is kind of to get a number?

She stated that she also talked with Mark Tibbetts who moved for the town last year. He stated that he did mow Veasey Park last year so the Veasey Park Commission didn't and it is not on here.

Chairman Robertson stated that they have some revisions that have been suggested. He stated that they definitely need to add Veasey Park if that has been part of the mowing contract previously and they need to decide whether they want to maybe separate these a little bit.

He thought in the past, they definitely separated the transfer station. He didn't think that they ever really worried about the water holes and cisterns in the past because Mark Tibbetts just did those.

Selectman Shute continued with the transfer station, that's where the bush hog would be used, could that be included in the roadside mowing then to which Chairman Robertson stated that they might be able to. It's just a unique situation because of

the slope on it and because of the coarseness and they don't mow it regularly. It is done once or twice and it's likely to have a lot of brambles and it is at an angle.

Vice Chairman Pitman added that a roadside mower might be too heavy for the transfer station.

Mr. Harrington stated that the problem adding it to the highway roadside, it's already been posted.

Selectman McGarry stated that they have one for the transfer station and what is the other breakout.

Selectman Shute stated that waterholes would be 2, Hartford Brook would be 3 and Bicentennial would be 4 alternates.

Vice Chairman Pitman stated that it's three because they're going to get done no matter what so from Veasey down to the gazebo would be 3 and then 4 and 5 would be Hartford Brook and Bicentennial. We don't know if Parks and Rec is going to do them or not but we know we're going to do the top list.

Selectman Shute stated that from the G.B. White to the gazebo when adding Veasey, would be number 1 or 3.

Vice Chairman Pitman stated to call it 1 and then call the transfer station 2 and the waterholes 3.

Selectman Shute added that then Hartford Brook would be 4 and Bicentennial would be 5.

Vice Chairman Pitman then said to encourage everyone to bid every one of them. At least then we could separate it. If someone doesn't have the equipment, they may not bid the others.

Selectman Shute stated that there will be alternates instead of additional areas so alternate one or base bidders 1, base bid one would be to the transfer because they have to do it and waterholes and cisterns would be 3.

He continued and asked how would they do that if they're different contracts since they're not bidding the same thing.

Chairman Robertson stated that they all have the ability to bid the same thing.

Selectman Shute stated if someone just bids the waterholes, you would award that as a separate contractor.

Chairman Robertson stated that all of these are going to be, as he understands it, would be separate requests and you could be the same contractor and bid individually on all five of them if they wanted to or you could be a contractor that only wanted to do the transfer station or only wanted to do regular lawn mowing and take the ones that they think they can do.

Vice Chairman Pitman stated that if a contractor was going to do all five, they're not going to put a price for the five, they're going to have to put a price on each one individually.

Selectman Shute then asked how they would determine who's the lowest when somebody just bids for the transfer station which the vice chairman stated that they would give it to the lowest bidder.

Chairman Robertson stated that the only person that it is going to be a problem for is Mr. Harrington.

Mr. Harrington stated that they were talking about five separate RFB to which the chair answered yes. So, one would be the transfer station. Two would be the waterholes and cisterns, three would be the fields and four would be the rest and Veasey Park.

Mr. Harrington continued that included in one would be the G.B. White, town hall, the library, the hill across the street, South Station, gazebo and Veasey. Transfer station alone is two. The waterholes and cisterns would be the third RFB and the sports fields would be the fourth.

The chairman stated that that sounded correct to him.

Mr. Harrington stated that they would each have their own form to which the chairman agreed.

Selectman McGarry stated that the sports fields won't be alternative but will have a separate bid.

Vice Chairman Pitman stated that they way it's written they didn't have to award the fields to anyone.

Mr. Harrington asked If the Board wanted the language still included that the town reserves the right to delete either or both and all agreed.

Chairman Robertson asked Board members if they were in general agreement that they can proceed in this fashion and all agreed.

Mr. Ellis stated that he thought that they need to put down that they must specify on what they are bidding on because they could bid on one item or they could bid on all five so it will make it easier for them.

The other item is the money break up. It's not all coming out of one pot.

Selectman McGarry stated that it is his understanding that they will have five different pages.

Mr. Ellis stated that the waterholes and cisterns come out of the fire department. The ball fields will come out of Parks and Rec and then they would be doing the rest so to make it easier, he thought when you characterize them, they should be so it will be easier for the town to pay for and know whose paying for what and the vice chairman stated that is how it is set up now.

Chairman Robertson stated that in actually breaking it out into the four or five bids will enhance that process.

Mr. Ellis continued to make mention, he has always done an attendance sheet with the date and time so they know who was there and it was discussed so there are no questions after that.

Selectman Shute added that if they don't come, they can't bid on them, which Mr. Ellis confirmed. They must be at the meeting.

Mr. Harrington confirmed that they have four separate RFBs to which it was confirmed, yes.

Parks and Rec Flooring Quotes:

Mr. Ellis stated that basically, they went out and got estimates and the cheaper of the three was Ed's Flooring America, Ed Cross. He is a Deerfield resident. He actually gave them some free work involved to cut it down because his kids when through the school system and he appreciates it and wanted to help out. He gave them the flooring at almost cost.

Mr. Ellis' recommendation, and he talked it over with Nick, is that they wanted to try to give it to Ed because it was cheaper for one and two, that he supported the town.

Vice Chairman Pitman asked if they could get it on the record that their bid is \$3,999.27 plus \$600.00 for a total of \$4,597.27. The \$600.00 was to rip up the old floor which I wanted them to do rather than go over it, DecTech is \$5,592.00, Empire Floors gave two options and the one that was equivalent was \$6,304.00.

Motion: Vice Chairman Pitman moves to recommend Ed's Flooring America for the price Selectman Shute stated which was \$4,597.27

Second: Selectman Shute

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Selectman Shute added to follow up on these, they had all the flooring and adhesive tested for asbestos and it was all clean.

Other Business:

Chairman Robertson would mention, and if there's no further input from the Board, that they contact Mr. Ellis regarding a request from Sophie Hopkins, an active Girl Scout in Deerfield, contact the chairman this morning to ask about the possibility that the Girl Scouts could plant a flowering dogwood tree as part of improvement projects that they're working on, in the vicinity of the gazebo, on the field.

He stated that he told her that he didn't think it would be a problem with that but that there would be some location specifics that would need to be taken into consideration.

If the Board is in agreement, he would refer her to talk to Mr. Ellis about where they might be able to put that plant. All agreed.

Citizen's Comments:

None heard

Motion: Vice Chairman Pitman moves to adjourn at 6:11 pm

Second: Selectman Shute

Discussion:

Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries

Next Meeting: Monday, April 15, 2019 at 5:30 pm

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

Approved by Board of Selectmen on April 15, 2019