

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
June 3, 2019
MINUTES**

Call to Order

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

Present: Richard Pitman, Vice Chairman. Jeff Shute and Cindy McHugh, Selectpersons.

Absent: Andrew Robertson, Chairman; Fred McGarry, Selectman

Pledge of Allegiance to the Flag

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

Vice Chairman Pitman stated that the absent was the Chairman and Fred McGarry.

Bids for Town Hall Painting – Front and Back: It will include front and back to include, scraping, sanding, all caulking, shutters will be treated in the same manner. Final painting of the front side surface with two coats of 100% acrylic, latex paint and any questions need to go to Ray Ellis, Facilities Supervisor.

Quality Painting – Dave Hanson, exterior painting, front and back - \$11,000.00

Motion: Selectman Shute moves to accept the bid from Quality Painting for \$11,000.00 after asking Mr. Ellis if he was okay with the bid

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Bids for GBW Roof Replacement: Replace two sections of the roof approximately 5,538 square feet, remove and dispose of the rubber and the ½ inch insulation, replace with ½ HD plus insulation board, install replacement roof system, minimum .6 mil thick rubber, replace existing roof drains, flash all penetration and walls, fabricate and install new aluminum drip edge, supply 15 year total system warranty.

Eastern Exterior, Hooksett, NH	\$56,250.00
Therrien Roof Company, Manchester, NH	\$60,750.00
High Roof, LLC, Hudson, NH	\$49,000.00

Vice Chairman Pitman noted that High Roof, LLC was the company that did the town hall roof and did a good job.

Skyline Roofing, Manchester, NH	\$43,720.00
Alpine Valley, Inc., Pepperell, MA	\$49,500.00
Kevin W. Smith and Son, Standish, ME	\$61,000.00
JJ Universal Construction Company, Dudley, MA	\$70,000.00

Motion: Selectman Shute moves to give all the bids to R. Ellis, Facilities Supervisor to review and come back to the Board of Selectman with a recommendation

Second: Selectwoman McHugh

Discussion: Selectman Shute stated that there is a lot of variation of insurance documentation and quite a variance of numbers so it needs to be looked at closely.

Vice Chairman Pitman asked Mr. Ellis if he would have time to review and get back to the Board to which it was noted that he could.

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Payroll Manifest - \$68,482.31 (gross), \$45,222.24 (net)

Motion: Selectman Shute moves to approve the payroll manifest

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Ms. Cady, from the audience asked Vice Chairman Pitman to explain why the payroll manifest is like \$68,000.00 but then drops to \$48,000. Is that the reduction for retirement and benefits and insurance?

Vice Chairman Pitman stated that that was correct, withholdings basically.

Accounts Payable Manifest - \$1,528, 034.37 with \$1,500,000.00 going to the school

Motion: Selectman Shute moves to approve the accounts payable manifest

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Notice of Intent to Excavate 20,000 yards of gravel – 35 Parade Road, Deerfield, NH - Applicant, Steve Rollins

Motion: Selectman Shute moves to approve the intent to excavate

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Intent to Cut Wood/Timber – Map 415, Lot 65, Mountain Road, John and Susan Smith, Deerfield, NH

Motion: Selectman Shute moves to approve the intent to cut by John and Susan Smith at Map 415, Lot 65

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Intent to Cut Wood/Timber – Map 415, Lots 63 and 64, Mountain Road, Anna and Roger Rich, Duxbury, MA

Motion: Selectman Shute moves to approve the intent to cut by Anna and Roger rich at Map 415, Lots 63 and 64

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Intent to Cut Wood/Timber – Map 405, Lot 2 – Brian and MaryJo Hanley – 150 North Road, Deerfield, NH

Motion: Selectman Shute moves to approve the intent to cut by Brian and MaryJo Hanley

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Timber Tax Levies

Janet and Roger Rich, Deerfield, NH	\$ 194.30
John and Susan Smith, Deerfield, NH	\$ 120.08
George Kelley, IV, Deborah Kelly, Candia, NH	\$ 520.10
Total Tax Due	\$ 835.48

Motion: Selectman Shute moves to approve collection of the timber tax levies amounting to \$835.48

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Yield Tax Levy – E.R. Ames Forestry, Wolfeboro, NH - \$2,350.22 (Lot 407-11, Lot 23, 24)

Motion: Selectman Shute moves to approve to collect the Yield Tax Levy of \$2,350.22

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Yield Tax Levy – Hopkinton Forestry and Land Clearing, Hopkinton, NH - \$5,828.72

Motion: Selectman Shute moves to approve to collect the Yield Tax Levy of \$5,828.72

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Ms. Cady if this was the gentleman that cuts the wood statutes at the fair to which Vice Chairman Pitman stated that he didn't think so as that person was from Dunbarton.

Gravel Levy - \$523.54 – Steve Rollins, 35 Parade Road

Motion: Selectman Shute moves to approve to collect the gravel tax of \$523.54

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Vice Chairman Pitman stated that they had a letter to sign that was going to the NH Municipal Association, Legal Services which read as follows:

"We are ready to notify which town officials; employees have the authority to contact the NH Municipal Association.

The Board of Selectmen authorizes the following:

Any member of the Board – Richard Pitman, R. Andrew Anderson, Jeffrey Shute, Fred McGarry and Cynthia McHugh, Town Administrator, John Harrington; Planning Board Chair, Pete Schibbelhute, Vice Chairman Fred McGarry, Town Planner, Sylvia von Rollick, ZBA Chairman Joshua Freed, ZBA George Thompson, Municipal Budget Committee Herman Pretorius, Chairman and Vice Chair Alden Dill."

Vice Chairman Pitman stated that this would be signed by the Chairman when he returns.

Application to Hold Parade – August 17th with rain date of August 18th 4:00 pm to 4:10 pm, Route 107.

Vice Chairman Pitman stated that the police department has been notified.

Motion: Selectman Shute moves to approve to vice chairman to sign the application for parade

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Refund Request – Dwight Barnes – 56 Harvey Road – Overpaid \$6.40 in vehicle renewal fees due to a pre-printed check

Motion: Selectman Shute moves to approve the refund request

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

2019 Dog Warrant:

"To Kelly Roberts, Certified Town Clerk/Tax Collector, Town of Deerfield

We further order you to pay all monies collected in said town, at least of a weekly basis, when received and when it exceeds \$1,500.00 or more often when directed by the Commissioner of Revenue."

Motion: Selectman Shute moves to approve the 2019 Dog Warrant

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Vice Chairman Pitman asked Mr. Harrington if he wanted to speak in regards to the uncollectible check/credit card fee to which he said yes.

Mr. Harrington stated that it is an amendment to the bad check/uncollectible/insufficient funds policy and with the addition of collecting credit cards and debit cards, we've added the use of debit cards to that policy. The rest of the policy remains the same.

The fee collected for insufficient funds of a debit card would be \$25.00 plus the fee that was originally uncollectible.

Vice Chairman Pitman thanked Mr. Harrington.

Selectwoman McHugh pointed out that the fee was \$37.00 to which Mr. Harrington stated that that amount was for checks and the fee for debit will be \$25.00.

She asked why it wasn't the same.

Mr. Harrington stated that because by law, they can only charge \$25.00 plus any bank fees that are applied and there's no bank fees applied with debit cards.

Motion: Selectman Shute moves to approve the Uncollectible Check and Credit Card Fee

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Town of Deerfield – Deerfield Police Contract for Criminal Prosecution – pursuant to the verbal agreement reached April 30th, 2019, William Hart will represent the Deerfield Police Department as their prosecutor.

This agreement is in effect from June 1, 2019 to May 31, 2020.

The contract is "at will" and can be terminated by either party at any time.

Any annual renewal of this contract will require new written contract and will be renegotiated.

The annual salary to be paid under this contract is \$15,000.00, payable in monthly installments of \$1,250.00.

Motion: Selectman Shute moves to approve the chairman to sign the contract for criminal prosecution services

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Courtney Torre – June Lazy Lion Events – Letter Requesting Service June 9th and June 23rd, 2019.

"She stated that she had three attachments for the Board in regards to two events we would like to host in our parking lot in June.

Two of our letters are requesting your permission to host these events.

Matt Fisher is aware and getting the permits of assembly as we speak.

The Chief of Police just told last time to let him know of future events and to make sure that we are not blocking any driveways on Church Street which I will personally be checking.

I want to send these to you because they will need to be reviewed by the selectmen on Monday, June 3rd as one of the events is on Sunday, June 9th.

I attach two letters requesting permission as well as the letter the Board drafted and all signed for us the last time, we held this type of event.

Let me know if you have any questions or if you need anything else from me. I really appreciate your help."

Signed: Courtney Torre, Lazy Lion Restaurant

Event on June 9th is from 12 pm to 5 pm for a local family.

Event on June 23rd is from 4 pm to 7 pm for a retirement celebration.

Selectman Shute asked if anyone knew where they park and the vice chairman said that they only couldn't block driveways.

Selectman Shute continued to state that where ever they can on Church Street to which the vice chairman stated that it sounded like it.

Motion: Selectman Shute moves to approve the two events for the Lazy Lion

Second: Selectwoman McHugh

Discussion: Selectman McHugh stated that she thought there should be a stipulation that they are not going to park in the fire department to which the vice chairman stated that they could tell them that.

Selectman Shute stated that his motion is contingent on getting permits from the fire chief.

Vice Chairman recapped that the two events are approved contingent on getting permits and no parking at the fire station.

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Personnel Action Request, Town of Deerfield

Assessing Clerk Christine Robert with 20 hours per week at \$16.00 per hour

Motion: Selectman Shute moves to approve the chair to sign the Personnel Action Request for Christine Robert

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Ms. Cady asked if Ms. Robert was a new employee and Vice Chairman Pitman stated it was to replace Sherie Sanborn.

Selectwoman McHugh asked if they should still sign the approval for the Lazy Lion since it needed to be modified. Mr. Harrington stated that since they are signing the original, he will add an addendum to each letter stipulating no parking at the fire station and with fire chief approving permits.

Vice Chairman Pitman stated that completed the signature section of the agenda.

The only correspondence he had was a summons in a civil action lawsuit, Alex Cote, II vs the Town of Deerfield.

The date the complaint was filed was May 14th, 2019.

Complaint has been filed against the Boy Scouts of America, Daniel Webster Council, Inc., Boy Scouts of America Learning for Life, Mark Tibbetts, the Town of Deerfield and his count and copy of the complaint is attached with copies sent to Kirk

Simoneau, Esquire of Nixon, Vogelmann, Slawsky and Simoneau, Attorneys; Town of Deerfield, Mark Tibbetts, Daniel Webster Boy Scouts of America and Learning for Life.

Approval of Minutes of May 20th, 2019

Motion: Selectman Shute moves to approve the minutes of May 20, 2019

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Town Administrator's Report:

Mr. Harrington stated that he had quite a few items tonight.

First of all, he would like to get permission from the Board to have the message boards that are actually attached to the Town Hall out in front where we post, they are both falling apart, and have quite a bit of rot on them, and Mr. Ellis has agreed to remove them and rebuild them before they're replaced. He would hopefully do this prior to painting so that they can be painted. If not, we'll have them fully painted. He wanted permission before they took them off the building.

Members of the Board agreed and Mr. Harrington added that the doors on them are broken and they don't work. Vice Chairman Pitman added that Mr. Ellis is the right guy to do it.

Second, the changeover from the fire alarm, burglar alarm system has been completed. The town buildings are not being monitored by R.B. Lewis. There are two remaining items to be finished.

One is the low temp sensor in the pump house in back of the G.B. White and the panic button receiver. Both of these will be completed Wednesday. He just wanted the Board to know that the entire town has been changed over.

Mark Young would like permission from the Board to change the yield sign at the corner of Birch Road leading onto Middle Road to a stop sign. He has already spoken to the police chief who agrees with the change. They've had several close calls.

Motion: Selectman Shute moves to approve changing the yield sign to a stop sign at Birch and Middle Roads

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Mr. Harrington continued that he also got a request from Claire of Claire's Country Cuts to see if the Board would allow her to sublet her lease as she is considering selling her business.

Vice Chairman Pitman asked Mr. Harrington if it would be to her purchaser?

Mr. Harrington stated that she wants to be able to include that as part of the purchase that they would take up the lease as opposed to rewriting a new lease with the new tenant.

He continued that it is allowable but it is up to the Board to approve it.

Motion: Selectman Shute moves to approve Claire's Country Cuts to sublet her lease

Second: Selectwoman McHugh

Discussion: Ms. Cady asked if that would only be for the remaining term of the current lease to which it was answered yes.

Selectwoman McHugh stated that she thought she had just renewed her lease and Mr. Harrington added that it was for five years.

Mr. Harrington asked the Board if they were going to allow the sublet to go for the full extent which is five years?

Someone from the audience stated that the Board should have control of what goes in there.

Selectwoman McHugh stated that it would be the hair business which she is selling.

Vice Chairman Pitman stated that they could amend the motion contingent on what is going into that space that it continues to be a salon.

Selectwoman McHugh stated that she is selling her business and wants the right to take the lease.

Mr. Harrington stated so it would be contingent upon the business staying the same.

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Mr. Harrington stated that he wanted to get back to the Board in regard to a question that Selectwoman McHugh posed a couple of meetings ago regarding backup of accounts payable and payroll.

Just to let everyone know, Randy Long has been cross-trained to do both of those jobs should the bookkeeper be out again so we don't miss a week and also with Board approval, I have reviewed the process of accounts payable and payroll approval with himself with Kelly Roberts, should he be out and she is available and willing to fill in for him should he be out.

Last, at the last meeting, the Board agreed to surplus the Deerfield Parks and Rec van.

He would like permission from the Board to add to that list to make it a more robust surplus, advertisement with articles from the fire department that have already been reviewed by the Board and possibly anything from the police or highway that they might want to surplus as well, to post a larger list to hopefully generate information and attention.

Vice Chairman Pitman asked Mr. Harrington if they had given up on the idea of an auction on that stuff.

Mr. Harrington stated that this would either be best offer or minimum bid on all of them.

Board members agreed that it needs to go.

Mr. Harrington stated that he would show the Board a list before anything is done. Nothing is going to move forward with the Board. He just wanted to get permission to go with a fuller list rather than just the van.

New Business:

Vice Chairman Pitman stated that he had a certificate and a check. He read the following from the certificate.

"This longevity certificate is awarded to Gary Duquette in appreciation of five years of service for the Town of Deerfield presented by the Select Board."

Vice Chairman Pitman asked Mr. Harrington if he would give that to Chief Duquette tomorrow.

Vice Chairman Pitman asked if there was any other new business from the Board.

None heard.

Other Business:

None

Citizen's Comments:

Ms. Cady – Old Centre Road

She stated that she had already sent a slight email on this to the Board of Selectmen.

This was in the Bow Times. She held up the article and stated that they could see it is a quite lengthy article about George Sansoucy and it's not very complimentary.

She thought that the selectmen should look into it.

He will be in court in Ohio for what he testified to and they found he did not have the expertise or knowledge that he claimed and if the court finds him guilty, he may have to return the \$400,000.00 he charged the Ohio Educational System in going against the utility.

On top of that, the states that he's been allowed to testify as an expert, then have the option of taking his license to be an appraiser as an assessor.

She stated that she was willing to let the Board take the article to make a copy if you want to read it all but it is quite extensive and she thought that what the town has paid him, and how many times we ended up with him losing or us settling a utilities abatement, this may say something to the fact that we lost rather than the fact that the utility should have received it maybe.

She stated that she is very concerned as she knows that Avitar has taken over doing the utilities but already it came back as a recommendation to settle. She didn't know if it was their assessment or that they're recommending a settlement based on one George Sansoucy did for the town before Avitar took over doing the utilities assessment.

She thought that the state needs to be careful of who is licensed to do utility assessments. They are not like a normal appraisal. That would be something that they should be very aware of.

She also asked how people in town knew if new members that were elected or other members of boards have been invited to an all-day workshop by the NH Municipal Association on right to know and duties as board members and on the ethics and so forth that serve on. She thought that anybody serving on a board should be notified of so they can choose to go or not.

Kathy Shigo – Cate Road

She stated that she had some quick comments.

She asked if the Board could tell her how old the roof is up her that we're replacing. She thought that they replaced it not too long ago.

Vice Chairman Pitman stated that one section was replaced.

She asked if it was in the back and Vice Chairman Pitman stated that Mr. Ellis could tell her the location which he stated it was the middle one.

She stated that she knew that they have been working on the roof in the past, both the front and back and she was just surprised that they have to be replaced.

The other thing, she wanted to ask was if the selectmen decide on the painting and wine situation that the Lazy Lion wanted to have that approved at the last meeting, up on the second floor and she thought that Fred McGarry was concerned about the traffic which is her concern.

She didn't know if the Board had found out anymore about that, if the police are concerned. She knew that they had firemen to look at the fire escape but she was concern also about traffic and accidents because it's always so busy there anyways so if they have additional activity upstairs on the second floor.

So, her concern was traffic mostly and she thought that Selectman McGarry was saying that also. Has that been looked into or has it been approved already; she wasn't sure what the update was on that?

Vice Chairman Pitman stated that the Board hasn't acted on it because they hadn't gotten a report from Selectman McGarry.

Ms. Shigo stated that maybe they were going to look at the traffic maybe with the police chief or somebody to which Vice Chairman Pitman stated that they were waiting from the Planning Board.

Her third comment is that we all got letters, almost all of us, about the bridge closing and concerned about that obviously and she thought that the selectmen would have gotten the letter also, regarding the bridge on 107. She stated that she didn't know how long but since it's there's only two ways to get out of this town and closed going to Concord...

Selectman Shute added that they are closing it to one-way with a light working it so that traffic can get through it.

Ms. Shigo stated that according to the letter, it sounded like it was going to be closed totally.

Vice Chairman Pitman stated to Ms. Shigo to come to the next meeting as there was going to be public meeting to which she stated that she did know that but that she just wanted to know if the selectmen knew if it were to be totally closed and people were talking about that.

Mr. Pintress – Contra Dances at Town Hall:

He stated that last meeting he had raised some questions relative to stipulations that he understood were proposed for the monthly contra dance at town hall. It was his understanding that the Board was going to take it under consideration and make some comments about those stipulations.

Vice Chairman Pitman stated that with the Chairman at the meeting, he didn't have anything.

The gentleman continued that because he is the one that organizes this dance and has been for a number of years, he really would like some information as soon as he could get it because he has to contact musicians and callers and do some planning for the upcoming season which begins in September.

Selectwoman McHugh stated that the Board didn't say no but that Chairman Robertson was looking into something.

Vice Chairman Pitman apologized to him for having to sit through the meeting and not get any answers. He stated that they would try to have something in two weeks.

He continued that they would try to put it on the agenda so that something will happen.

Motion: Selectman Shute 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: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Vice Chairman Pitman stated that no action was taken in the non-public session and would like to get a motion to seal the minutes.

Motion: Selectman Shute moves to seal the minutes of the non-public session

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Motion: Selectman Shute moves to adjourn at 6:30 pm

Second: Selectwoman McHugh

Discussion:

Vote: Yea 3, Nay 0, Abstained 0 – Motion Carries

Next Meeting: Monday, June 17, 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*