

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
February 26, 2018
MINUTES**

Call to Order

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

Present: Stephen Barry, Chairman; Richard Pitman, Vice Chairman; Andrew Robertson, Fred McGarry and Jeff Shute, Selectmen.

Pledge of Allegiance to the Flag

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

Conservation Commission – Marston Farm Donation – Kate Hartnett

Ms. Hartnett representing the Conservation Committee is here tonight to request on behalf of Conservation Commission, approval from the Select Board to accept a very generous donation by Ms. Gile Bye, who happens to be sitting in the audience, of about 128 acres of land on Nottingham Road, donated in full with intent with making it a town forest.

This donation is part of a very complicated set of transactions that will result in a town forest of 28 acres and the rest of the land ultimately ending up in protection, especially at the prime AG to be used for farming purposes in the future.

She believes that the Board has a memo dated February 16th that reviews the outline for the 166 acres, subdividing a 128 and a 38 out of the 166 acres and all of this work is being done through a very big pot of money which was put together through a variety of sources by the Conservation Commission.

The Conservation Commission received \$50,000.00 anonymous donation and we have the donation of the 128 acres from Gile Bye, \$50,000.00 LCHIP grant which they received in November of last year. We have another \$7,500.00 transaction grant which will we may or may not get depending on deadlines and the balance coming from the Conservation Fund.

The Conservation Commission has been working on this for a number of years and very happy to report that it is just about 3/1 leveraging of conservation fund monies to protect, ultimately will end up being a 168-acre parcel with a lot of development potential.

The reason that Ms. Hartnett is before the selectmen is to review this with the selectmen per advice from Mr. Harrington and if you are willing to accept this gift, she things that there is a subsequent public hearing that has to happen. So tonight is a chance to talk about it.

Selectman Robertson stated that he thought that the was absolutely something that we should accept, support and whatever else we need to do, particularly given the location. This is betwixt and between a number of other large conservation parcels in that immediate area. Great Brook comes through there.

Ms. Hartnett thanked Selectman Robertson for stating that because she had one of her favorite maps to circulate. What Selectman Robertson is talking about is basically the Great Brook corridor and a bunch of land to the north. This all fits in with a larger landscape scale set of the conservation projects. This is part of a 50-year project.

Selectman Robertson continued that he is very much in support for preserving this area for a couple of reasons. He stated he thought conservation as a rule is a wonderful thing for the town to do and it's a great place to hunt deer in that whole corridor.

Selectman McGarry asked if the Conservation Commission is going to the ZBA to get the subdivision in order to get this lot to be approved by the Planning Board.

Ms. Hartnett stated yes, that in fact, Ms. Bye just submitted the application today for the March 27th ZBA meeting. The reason we need to do that is because of your donation, which you can see on the map in front of everyone, is a big chunk of land that only has a skinny pipe that comes out to the road so there is not 200 feet of frontage.

There are a variety of ways of doing this, and we were hoping to not go to the ZBA primarily because it puts in jeopardy the \$7,500.00 transaction grant but because of the complexity of the project, it seems that this was really the best path to go and that grant is in the balance but we will be going to the ZBA on the 27th of March.

Vice Chairman Pitman asked if it were necessary and Ms. Hartnett stated yes it was because of the lack of 200 feet of frontage.

Vice Chairman Pitman continued that being from Ms. Bye, "a gift" to the town, it still has to go before the ZBA to which Ms. Hartnett stated, correct.

Selectman McGarry stated in order to do the subdivision, that lot has to have 200 feet of frontage.

Vice Chairman Pitman stated that he didn't know since it was going to be conservation, whether this applied as it wasn't going to be developed.

Selectman McGarry stated that there is nothing in the regulations that would support that.

Vice Chairman Pitman stated that he couldn't agree with Selectman Robertson more, what a great gift to accept and would like to make it as easy as possible.

Chairman Barry asked if someone would like to make a motion.

Motion: Vice Chairman Pitman moves to go forward with the public hearing to accept the 128 acres.

Second: Selectman Robertson

Discussion:

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

Chairman Barry stated that a public hearing will be scheduled.

Ms. Hartnett asked if anyone had a timeframe as to when the public hearing might happen.

Mr. Harrington stated that he would have to look at the Board's schedule but would like Ms. Hartnett know.

Ms. Hartnett stated that it would be great and the Conservation Commission would really like to know when the hearing would take place.

Chairman Barry stated that it would be as early as possible.

DCS Events: Annual Triathlon, Metal Drive – Susan Fifield

Ms. Fifield wasn't in attendance and Chairman Barry asked Chief Duquette if the police department was onboard with the annual triathlon to which he was. Chairman Barry stated that he would remind the school to touch base with the police department.

Mr. Harrington stated that the reason that they were suppose to be at the meeting is so that they would have the steps to make sure everything is complete. They had approval last year to do it.

Selectman Robertson stated that he thought that the Board could give tentative approval. The primary concern of the town is that they coordinate with the police department for the use of public roads.

Chairman Barry stated that they want to hold it on the 28th of July and want to use Deerfield roads to host the second annual triathlon. They would need police detail officers and Deerfield Rescue for support but Chairman Barry stated that he would like to run it past the parties first.

Selectman Robertson stated that there are two primary Deerfield locations that they use. They gather at the school and then bus from the school to Veasey Park. They also offset the operation of the park for the swimming part of the event.

Selectman McGarry asked where they go from Veasey Park.

Selectman Robertson thought that they bike a route back to the school and then run the 5K loop.

Chairman Barry stated until they run it past the police department and if it is okay, the select board is okay with it.

Chairman Barry asked board members if anyone had a problem with DCS using the park and ride for a metal drive on May 5th and 6th. No one did.

Change of Ownership "The Lazy Lion" – Tricia Lynn

She stated that her name was Ms. Lynn and one of the various owners of the "Nine Lions Restaurant". It's been in the family's name for over eight years now and it will now be in just Ms. Lynn's name under the PAL Properties which is my company which owns the building and the small building that is next door. She stated that she is going to incorporate the whole thing so it includes the restaurant. In order to get my liquor license, meals license and everything else switched over to that company, part of it is going to the town to let them know that it is happening and to get the town's permission and answer any questions that the Board may have.

Selectman Robertson stated that the only question that he would have is per the RSA's, the Board is supposed to inquire if you are going to change your entertainment and have exotic dancing or anything like that.

Ms. Lynn stated that the entertainment would stay the same. Thursday, Friday and Saturday nights they try as best as they can to get local entertainment, those that want to become famous entertainers. We've had one that kind of went on, Nicole Knox. She did the NH 603 song that she did for the governor, she started at her restaurant. They try to feature local entertainment when they can. They don't typically have bands, just one or two singers and that is all that they will be continuing to do.

Chairman Barry asked if there was a form or a letter that needs to be sent out. Selectman Robertson thought that Ms. Lynn would need permission from the Board.

Ms. Lynn stated that she could draw up the letter for the Board so that they could sign it. It is just a statement that says that the Board acknowledges that the restaurant is continuing with their entertainment and that it will become the property of PAL Properties.

Chairman Barry asked for a motion to go into non-public.

Motion: Vice Chairman Pitman moves to go into non-public sessions 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 Robertson

Discussion:

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

Chairman Barry stated that no decisions were made in the non-public session and could he get a motion to seal the minutes.

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

Second: Selectman McGarry

Discussion:

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

Regular Business:

Review of Outstanding Minutes: 1/28/2018 and 2/5/2018

Motion: Selectman Robertson moves the minutes of February 5th as written

Second: Selectman Shute

Discussion: Selectman McGarry Page 1 – bottom of page 1 (line segment drawn on the plan) for clarification

Page 2 – change “stated” to “asked”

Line 8 – insert (line segment drawn on the plan)

Line 9 – “asked if they were looking”

Page 3 – 3rd 1 – “wherever” from “where ever”

Second Line 5 “has” instead of “have”

Page 4 – Second 1 remove “how”

“Dateo” to “Datum”

Page 6 – “stated” to “state”

Page 8 – “wherever” from “where ever”

Page 9 – your tax and (scratch)

Selectman McGarry stated that when he was down at the Highway Garage taking a water sampler, Mr. Kimball stated that he didn’t put in a water line, it was an electrical line. Mr. Kimball just wanted everyone to know that there wasn’t a pipe under that patch but an electrical line.

Page 11 – Line 8 – “them” instead of “the”

Selectman Robertson stated that for the record there has been progress in identifying some of the owners.

New Business - Line 9 – he

Line 3 – insert “marker”

Page 13 – Line 4 – insert “would”

Change “lot” to “county”

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

Motion: Vice Chairman Pitman moves to approve the minutes of January 28, 2018, Public Meeting

Second: Selectman Shute

Discussion:

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

Account Payable Manifest - \$53,311.13

Motion: Selectman Robertson
Second: Selectman Shute
Discussion:
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Payroll Manifest - \$56,990.16 (gross), \$44,093.81 (net)

Motion: Vice Chairman Pitman
Second: Selectman McGarry
Discussion:
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Request for Veteran's Tax Credit – Stanley Goddard, 209 South Road

Motion: Selectman Robertson moves to approve the Veteran's Tax Credit
Second: Selectman Shute
Discussion:
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Chairman Barry stated that the credit was granted for \$500.00.

Request for All Veteran's Tax Credit in the amount of \$500.00– Eric Sikes – 20 Cole Road

Motion: Selectman Robertson moves to approve the total allowable for the All Veteran's Tax Credit for Mr. Sikes
Second: Selectman McGarry
Discussion:
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Request for All Veteran's Tax Credit – Robert Wand, 17 Country Road in the amount of \$500.00

Motion: Selectman Robertson moves to approve the Veteran's Tax Credit as well
Second: Selectman McGarry
Discussion:
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Request for Veteran's Tax Credit in the amount of \$500.00 – John McGown, 21 Parade Road

Motion: Vice Chairman Pitman moves to approve the Veteran's Tax Credit
Second: Selectman Robertson
Discussion:
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Request for Veteran's Tax Credit in the amount of \$500.00 – Hermanus Pretorius, 68 Bloomfield Road

Motion: Selectman Robertson moves to approve the Veteran's Tax Credit
Second: Selectman McGarry
Discussion:
Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries

Request for Abatement – Property at 109 Griffin Road owned by the 109 Griffin Road, LLC in the amount of \$89,700.00 for the 2017 property taxes on Map 405, Lot 45 located at 109 Griffin Road.

The old assessment would be \$258,817.00 and the new one would be \$169,117.00. After an inspection of the property, several corrections were made due to the current condition of the building and also the deletion of a camper that was removed prior to April 1st, 2017.

Vice Chairman Pitman asked if this change was recommended by the assessors to which Chairman Barry remarked yes.

Motion: Vice Chairman moves to approve the abatement as requested

Second: Selectman Robertson

Discussion:

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

Chairman Barry asked Mr. Harrington if he could explain the HIPAA Business Associate Agreement which Mr. Harrington stated that it is related to the new FSA for 2018 with HealthTrust. There are currently three employees taking advantage of that program. It is just the new documents for this year.

Chairman Barry asked if someone from the Board could make a motion to allow the Chair to sign the HIPAA Business Associates agreement, the Benefit Advantage Services agreement and the Town of Deerfield Section 125 Flexible Benefits Plan Deduction agreement.

Motion: Selectman Robertson moves to grant the Chair to sign the documents on behalf of the Board of Selectmen authorizing the Section 125 Cafeteria Plan and necessary other documentation.

Second: Selectman Shute

Discussion:

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

James McDonald of 8 Cilley Road had an inquiry regarding his property. Paul Taylor, his neighbor on the Deerfield side of his property, for about the last 20 years or so, has a good amount of school buses parked on his property as well as behind Mr. McDonald's property.

Mr. McDonald stated that it has become quite a nuisance to him, both physically, mentally, both health-wise and safety-wise and he just wanted to bring that up to the Board and see what could possibly be done. The Taylor's have 8 to 12 buses parking in the residential lot passing within feet of my property line anywhere from 5:30 in the morning to 9 or 10 at night, every day of the week.

Mr. McDonald stated that he knows that there are a few different trucking companies that are using the property. They have power set up, toilets set up; they service vehicles there as well.

Chairman Barry asked if the property that Mr. McDonald was talking about, the neighbor's, is that also in Deerfield to which Mr. McDonald replied yes.

Mr. McDonald stated that his property is right on Cilley Road which is a Class IV road maintained by the town. They plow to just in front of his house and do a three-point turn and then go west back onto Route 107. The school buses come from north to south, across Cilley Road which is also an issue with me with plowing and shoveling, they plow their path and block Mr. McDonald in and make a trail across Cilley Road which is a town-maintained road.

There has been issues with drivers driving very irresponsibly, disrespectfully, very fast through that area. With 8 to 10 drivers everyday going in and out in the morning and in and out at night as well as the buses going in and out, it is a very bad noise thing for Mr. McDonald from 5 in the morning when they start them up as well as the dust in the driveway during the dry season coming onto the property as well as the welcoming of many, many people across the property. He stated that he had a woman walking in front of my house with a flashlight at 5:30 in the morning recently. He didn't know what she was looking.

Chairman Barry asked if it was a specific bus company next door.

Mr. McDonald stated that it is his understanding, about twenty years ago, there was a handshake agreement with he believes a Phil Dail to be able to park his buses and it was only 2 or 3 buses and it was kind of temporary and it has escalated to kind of a substation. Mr. McDonald also believes that Dail Transportation has been bought up by a conglomerate of sorts and the Goffstown busing and the Raymond School District, First Student, STA, there is a pretty good number of them. There is fuel leakage on the ground up there, there is a porta-potty that he smells all the time, they have their chargers running as well as buses running, revving up in the morning.

Chairman Barry asked if anyone knows whose property it is.

Mr. McDonald stated that it is Paul Taylor who is a great person and Mr. McDonald stated that he has spoken with him as well, telling him his concerns and told Mr. Taylor that he was going to look into this.

Mr. McDonald continued that Mr. Taylor receives funds for this monthly and Mr. McDonald feels bad that this will hurt his pocket but it affects Mr. McDonald on a day to day basis tremendously. He stated that he thought that there were safety issues crossing Cilley Road to where Mr. McDonald has to slam on his brakes or the bus has to slam on the brakes and he is concerned about driving out of his house.

Mr. McDonald went on to say that there are people in and out all day long from 5 in the morning to 9 at night, every single day. It's just become a big nuisance for Mr. McDonald.

Chairman Barry stated that Mr. McDonald will need to talk with the Code Enforcement Officer.

Selectman McGarry stated that they never came to the Planning Board with a site plan seeing that it is a commercial operation operating there now and whether or not its been in existence for twenty years or whatever, it still does not predate the zoning ordinance. They would still have to come to the Planning Board and get a Site Plan review.

Vice Chairman Pitman stated that he thought that it all started with a bus driver from that end of town and they could get into the bus there and work their way towards Concord. Vice Chairman Pitman stated that he was notified of this situation and went down and could not believe what he saw.

Selectman McGarry asked how many buses were there when Vice Chairman Pitman was there to which he replied over 8 the day that he was there. It is unfortunate but it has turned into a commercial operation at a residence.

Mr. McDonald stated that Cilley Road is east and west and in the corner of Cilley Road and the road that is the division of Mr. McDonald's property and Mr. Taylor's property.

Chairman Barry stated that they will get the Code Enforcement Officer to look into this.

Mr. McDonald stated that he has reached out to the Code Enforcement Office both a few weeks ago and today and Mr. McDonald stated that he didn't like the answer and response and the due diligence that had been done which is why he decided to come to the meeting and bring it up officially.

Chairman Barry stated that Mr. McDonald was having a little trouble and that it sounds like there is something going on that is not necessarily permitted. Let us have the Code Enforcement officer take a look at it and bring a report back to the Board. Please give your phone number to Mr. Harrington and he will contact you when the Board has more information.

Mr. McDonald thanked the Board and hoped to have an answer very soon if possible.

Chairman Barry stated that he didn't think it would be very long but it may be a week or so to get back to Mr. McDonald.

Chairman Barry stated that the Board had previously approved the hiring of Todd Carr as a full-time police officer. The Board just needs to sign his oath form.

Selectman Robertson stated that if he could just note that he has had several people talk to him about the increased vigilance of the new police officers but the same people that brought the increased vigilance also said that they thought that they were very polite, very professional young officers and were actually not angry.

Chairman Barry had paperwork from Emergency Insurance Solutions for Emergency Services.

Group Term Life Insurance for the Fire Department – Renewal.

Motion: Selectman Robertson moves to approve the Chair to sign the renewal of the Group Term Life Insurance Agreement for the fire fighters

Second: Selectman McGarry

Discussion:

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

Chairman Barry stated that for the record, on February 16, 2018, three members of the Board of Selectmen approved an **Accounts Payable Manifest - \$78,628.33.**

On the same date, the same three members of the Board of Selectmen approved an **Accounts Payable Manifest - \$37,629.62.**

Ms. Fifield arrived at the meeting and apologized as she thought the meeting started at 6:30 p.m.

Chairman Barry stated to Ms. Fifield that the Board had already talked about the items that she was here to discuss and just stated that Ms. Fifield just needs to run it past the police department and the fire/rescue.

Ms. Fifield stated that she already has and gotten their approval.

Chairman Barry asked Mr. Harrington if he had been notified that all approved to which he stated that he was not aware.

Chairman Barry stated that based on that information, the Board doesn't have any problems with the triathlon.

Chairman Barry also stated that the metal drive was a go also.

Ms. Fifield asked if they should come each year to get permissions for each of the events to which the Board stated yes.

Notice of Intent to Cut Wood/Timber – Steven Stock and Courtney Stock, Mt. Delight Road

Selectman Robertson stated that the Metal Drive last year was happy to take appliances as well.

Notice of Intent to Cut Wood/Timber – Levi St. Germain, Lang Road

Chairman Barry asked the Board if they remember the issues with FICA and Medi. All agreed. Chairman Barry stated that the IRS has decided to fine the town for the year 2015, \$134.04.

Letter from Mr. Simpkins from NH Division of Forest and Lands.

Dear Board of Selectmen:

This email is to let you know that I am in receipt of the letter of 2/9/2018, regarding the forest fire warden for the Town of Deerfield.

Please let them know that we are conducting an investigation as required by RSA 227-L:7

Once that is complete, we will be in touch.

Selectman Robertson stated that with regard to that, we still have two fire warden appointments, one for Dianne Kimball and one for Adam Gill. He didn't recall whether we asked Chief Fisher if he had an opinion one way or another whether we appointed them, assuming that it might make things like burn permits issue easier, at some point, we need to deal with this.

Chairman Barry asked Mr. Harrington to contact Chief Fisher to ask his opinion.

Town Administrator's Report:

Mr. Harrington stated that he had several items tonight. The ongoing subject of three-phase power out to the transfer station. The building code enforcement officer did meet with them several weeks ago and they gave him an estimate at this time of \$370,000.00 to run the power from the substation at the fairgrounds across to the transfer station. There was another option that they were looking at which involved Eversource putting in a meter at Route 107 where there is three-phase power. They were unable to get a response from Eversource but he wanted to come forward with this estimate anyway to get back to the Board.

Vice Chairman Pitman stated that he thought that they could probably wait a little longer.

Chairman Barry stated that yes, but what is annoying him is that Eversource is not even bothering to get back to the town because they (Eversource) could cut the cost in half, at least.

Mr. Harrington continued, as Chairman Barry mentioned, that there was a \$134.04 penalty related to late payment on the 2015 (FICA and Medi) and he also mentioned that the 2014 and 2016 are likely to come later as well as soon as the IRS gets to reviewing those documents. Mr. Harrington has checked that out with the treasurer and she feels pretty secure that we will be getting additional letters.

A reminder that on March 1st, Deerfield goes to a one check system payment for car registration. The town clerk/tax collector wanted Mr. Harrington to remind everyone that this would be starting. It's going to be the precursor to being able to accept credit cards for car registration.

Vice Chairman Pitman asked if accepting credit cards is still a little way away.

Mr. Harrington stated that it is months away but not too far.

Mr. Harrington stated lastly, earlier the Board had asked him to schedule monthly meetings for department heads to come in and talk to the Board and quarterly meetings for commissions or boards to come in and update the Board. He stated that he is asking the Board to clarify that a little bit more on exactly which departments within the town you'd like to see monthly and what boards or commissions you'd like to see quarterly.

Selectman Robertson stated that typically we've seen the land use commissions quarterly. He knew that the Parks and Rec is a commission but we used to see them monthly or some sort of report monthly. We also used to get a monthly report from the police department and from fire and rescue. They would just give us an overview or if something was broken. It seemed lots of times to be about equipment.

Chairman Barry stated so, fire and rescue, police department, highway department and the transfer station on a monthly basis we should receive some sort of report.

Selectman Robertson stated that he thought Parks and Rec is a good one to see monthly also. There is a significant amount of revenue that moves through Parks and Rec now.

Mr. Harrington reviewed that for monthly it would be Parks and Rec, Police, Fire/Rescue, Highway and Transfer Station to which all on the Board agreed.

Mr. Harrington also stated that quarterly it would be the land use commissions such as Planning Board

Members of the Select Board added, ZBA, Conservation Commission.

Mr. Harrington stated that he would get these meetings scheduled.

Selectman Robertson added that one other thing that he might add is that with Mr. Pelletier coming in for the Transfer Station, we used to see the Code Enforcement officer somewhat semi-regularly to just give us an idea about what we were looking at for building permits and that sort of thing.

Mr. Harrington stated that this was all that he had for tonight.

Chairman Barry asked if anyone had anything for the town administrator.

No one anything at that time.

Unfinished Business:

Chairman Barry stated to look at road naming process. He asked if the Board was looking to go backwards to which multiple members answered yes.

Chairman Barry stated that the Board needs to go to the last one that the Board approved.

Vice Chairman Pitman thought that the last one was Ridgeview up at the lake which had been Courtois.

Selectman Robertson thought that that had been the last one discussed officially.

Chairman Barry asked if everyone was happy with the road approval steps in the draft form to which all agreed were okay.

Selectman McGarry stated that he gave the form to the Clerk on the Planning Board, Jane Boucher, so she will be handing it out in the future.

Chairman Barry continued stated that the code enforcement officer needs to go back to the properties that have not been approved by the Board of Selectmen and get them onboard.

Mr. Harrington asked how far back.

Selectman Robertson thought that the last one the Board approved was the Courtois road name change on Pleasant Lake.

Mr. Harrington replied, so any roads that have been named in the last three years?

Vice Chairman Pitman stated that the Board could give Mr. Harrington a list should they see any others that are green that should be red.

Selectman McGarry stated that Rick (Pelletier) did speak to him last week because we had talked about the use of the term "lane" being for private roads and he was under the impressions that the "lane" designation was right around the lake.

Chairman Barry stated that this was his impression also.

Selectman Robertson stated that this was one of his concerns also when he saw "Lois Lane" off of Ridge Road and it was specifically geared towards "Lane" was going to be applicable to the lakeside properties so it would automatically register for 9-1-1 that if it was a "Lane" it was at the lake.

Selectman McGarry continued that this is still the philosophy on that to which all agreed that it was. Mr. Pelletier did raise some concerns to assuming that we didn't agree with the names that had been chosen for some locations and the headaches that he would see with regard to changing them.

The ones specifically that Mr. Pelletier had mentioned was "Major John Simpson Way" underneath the power line or next to the power lines. Selectman McGarry stated that he would assume that there would not be a major objection to that particular name. It's obviously has some historical significance and Selectman McGarry thought that possibly the way to correct the situation out there is to make the sign red instead of green.

Vice Chairman Pitman stated that he was told that this is already in the works to get it read.

Selectman Robertson stated that it is interesting to note that Major John Simpson lived up the road on Lang Road.

Chairman Barry stated that the Board will wait and see what the Code Enforcement Officer finds.

Mr. Harrington stated that the next time he will bring to the Board a list of roads from the past three years and would you like the application started.

Chairman Barry replied yes, he would. We should inform the property owners that there was a process that they did not complete.

New Business:

Chairman Barry had an update to the vacation policy and asked if everyone had read it.

Selectman Robertson stated that one thing that stood out to him as he read the verbal portion of the policy, which made pretty good sense to him but when he looked at the chart, he didn't know if that, based on the asterisk, was wondering, as it still looked like first year employees weren't necessarily going to get vacation based on the chart but maybe he was misreading it.

Vice Chairman Pitman thought that the intent was during that first year they could have 40 hours.

Mr. Harrington stated that this was the intent.

Vice Chairman Pitman stated that this is what Mr. Harrington meant by zero to 1 year to which Mr. Harrington agreed.

Mr. Harrington stated that he worked with the police chief on this and he was looking for further clarification so that range was added to make it absolutely clear. That was the intent anyway.

Vice Chairman Pitman asked if that line would have to be added again from year one to year two to be 40 also or is he not reading it correctly. It should be zero to one and then one to two would still be 40 because we're trying to give them 40 hours to start with and after two they'll get 80 hours.

Mr. Harrington asked, would you want to see "one to two" to which the Board agreed.

Vice Chairman Stated that he thought it needs that clarity about it to give them the 40 hours.

Mr. Harrington asked, so instead of putting two years, you want one to which Chairman Barry interrupted to say no, in between zero to one and one to two, it should be one to two and Selectman Robertson added, because we aren't going to give them 80 hours after the first year.

Vice Chairman Pitman added that you are going to put 40 down again, 40 will be twice then the 80.

Chairman Barry stated remove the "after".

Selectman Shute stated that for the first two years, you get one week each year to which all agreed.

Selectman Robertson stated that the way it has been, the first year you didn't have any time and he thought that it makes sense as these people have got real lives.

Chairman Barry asked if the Board wanted to approve this with the amended language or wait.

Motion: Selectman Robertson moves to approve the vacation policy with the amended language

Second: Vice Chairman Pitman

Discussion: Chairman Barry asked if it would be retroactive to January 1st to which all agreed it would.

Mr. Harrington added that it would be retroactive to January 1st, 2017.

Chairman Barry asked why 2017.

Mr. Harrington stated that this would encompass the new officers that were hired last year. There were two officers.

All Board members agreed with that statement to be retroactive to January 1, 2017.

Selectman Shute stated that they would still fall under the first year.

Vice Chairman Pitman asked if it would start with heir hire date?

Selectman Robertson stated that to be safe that to include them that the Board use the January 1st date.

Mr. Harrington stated that this was his intent to start with January 1st of 2018 that they would have 40 hours.

Chairman Barry stated that you (Mr. Harrington) wanted it retroactive to 2017.

Mr. Harrington stated that yes, in order to include them as first year hires. He also stated that those officers were the only people hired in 2017 as well as the assistant Rec director. Those three people would have those 40 hours. They were hired towards the end of the year.

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

Chairman Barry asked if anyone had any other business.

Selectman Robertson stated that he did. One thing that he wanted to comment on is we had received specific requests from Mrs. Cady asking the Board to further reduce the default budget. He thought her request, actually he knew her request was based on the recent court decision regarding Weare's default budget. He's stated that the default budget has been adjusted several times already for a good reason, some from citizens comments, some from Budget Committee comment. The default budget has been presented at the deliberative session at the budget public hearing and at this point, I think, we should leave the default budget as is. I know from the legal opinion that we got, our attorney does not feel that we're in the same position that Weare was with their default budget and he was comfortable recommending that we move forward with the default budget as we presented it at this point. All members of the Board agreed with Selectman Robertson.

Selectman McGarry asked if the town has posted town road to the 6-ton limit to which multiple members replied yes. He went on to say that he saw two flatbed trailers carrying probably 12 inches by 12 inches by however long beams that are apparently used for mats for powerlines. They were coming down Parade Road. He didn't know if, I assume they were exceeding the 6-ton limit.

Selectman Robertson stated that the highway agent should be advised and the other thing he knows is depending on the temperature, sometimes the road agent will grant special permission but it's almost always right around the time the sun comes up.

Vice Chairman Pitman stated that the road agent did have a problem over off Ritchie Road last week and had to have the police back him up so if they see it, they are acting on it to try to catch them.

Selectman Robertson asked if he could back up a minute before they went into non-public. He stated that Jeanne Menard had approached him with regard to Northern Pass. The Department of Energy is still collecting statements from consulting parties in the 106 process and the Section 106 process was cultural heritage and historic sites. Mr. Menard would like the Board to submit commentary. The Department of Energy is still accepting it even though they had an initial cut-off date of February 8th, 2018.

One of the reasons is that Ms. Menard feels it's important for the Town to continue with this is that the Department of Historical Resources or something like that, disagreed with the Northern Pass reports and stated that Deerfield would definitely be impacted, particularly with regard to the town center by the Town Hall and with regard to the Deerfield Parade.

There is also another entity that disagreed and these were non-partisan entities that clearly felt that there was a problem and flagged the deficiencies. Ms. Menard did prepare a draft which he was going to leave in our correspondence for people to read and maybe at the Board's next meeting decide whether we want to ford that or not.

The Department of Energy, I believe, is encouraging people to continue with this just so that it's on file if there is an appeal of Northern Pass and also so that it's on file if you have similar energy projects proposed for the same lines. You've included and incorporated it and it will live on in perpetuity to some extent anyway.

Chairman Barry thanked Selectman Robertson for bringing this to the Board.

Motion: Vice Chairman Pitman moves to go into a non-public session under RSA 91: A:3, II, A, the dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her and less the employee affected.

Second: Selectman Robertson

Discussion:

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

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

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

Second: Selectman Robertson

Discussion:

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

Citizen's Comments:

None

Motion: Vice Chairman Pitman moves to adjourn at 6:52 p.m.

Second: Selectman Shute

Discussion:

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

Next Meeting: Monday, March 12, 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*