

## DEERFIELD CONSERVATION COMMISSION

Meeting Minutes – January 9, 2017

**Members Present:** Deb Campelia, Kate Hartnett, Erick Berglund, Jim Deely, Wes Golomb  
**Members Absent:** Serita Frey  
**Visitors:** Phil Bilodeau, Dan Kern

**At 7:10 pm** Acting Chair Kate Hartnett called the meeting to order.

**McNeil Conservation Area:** Phil Bilodeau, Forestry Commission updated members on the status of the proposed selective harvest on the McNeil Conservation Area. Mr. Bilodeau referred to a meeting in September of 2015, attended by Mr. Moreno and Rick Van de Poll of the *Northwood Area Land Management Collaborative* (NALMC), at which a selective harvest had been recommended for the fall or winter. **Mr. Bilodeau recently spoke with the Town's forester, Charlie Moreno. Mr. Moreno had completed the preliminary marking and wished to confirm if he should proceed with the harvest.**

After participating in the annual monitoring of the McNeil Conservation Area on December 7, 2016, and reviewing notes from the September 2015 DCC meeting and the 2013 McNeil Management Plan, Kate Hartnett offered a memo outlining reasons why McNeil should not be harvested at this time.

Among her reasons, Ms. Hartnett noted it was a **“tough site” with high landing costs, a current poor timber market that would barely offset costs, and a mild winter, which would result in equipment damage to the minimally frozen ground.** Ms. Hartnett also felt that **opening up woods roads would add to the timber trespass and dirt bike activity** evidenced during the annual monitoring. Leaving McNeil in its **minimally forested state would also be consistent with that of the abutting conserved areas, and would facilitate the addition of trails.**

After a subsequent discussion with DCC Chair Serita Frey, Forester Charlie Moreno, Forestry member Phil Bilodeau and volunteer Frank Mitchell, **it was concluded that forestry management on McNeil should be delayed at this time.** It was also determined that if there is future evidence of *Hemlock Woolly Adelgid* infestation, the decision to delay could be reconsidered. **Ms. Hartnett's memo will be appended to the McNeil Management Plan.**

Mr. Bilodeau has submitted **Forester Charlie Moreno's invoice** to the Town, for payment from the Forestry Fund, for the **labor and material costs associated with the preliminary marking of McNeil for Harvest.** Mr. Bilodeau has also submitted invoicing to the Town for a **contract progress payment for Mr. Moreno's preparation of management plans for the Town Forests and Conservation Areas.**

**Non-public Session - Project #31:** At approximately 7:25 pm member **Jim Deely** moved to enter a non-public session under RSA 91-A:3, II(d). *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.* **Wes Golomb** seconded the motion which was followed by a roll call vote, with **Deely, Berglund, Golomb, Campelia and Hartnett** voting in favor of the motion. At approximately 8:10 pm the members re-entered public session. **A motion by Wes Golomb to seal the minutes was seconded by Erick Berglund and was followed by a roll call vote with Deely, Berglund, Golomb, Campelia and Hartnett** voting in favor of the motion. Mr. Deely noted that no final decisions were made during the session.

### **Town Forest Protection:**

**Boisvert Town Forest – Permanent Protection:** Dan Kern from Bear-Paw Regional Greenways walked members through the revised costs budgeted for creating the easement that will permanently protect the *Edythe H. Boisvert Town Forest*. Bear-Paw received three bids resulting from their *Request for Proposal (RFP)*. They were as follows:

- Allen & Major Associates, Inc. – \$25,000
- David W. Vincent Land Surveying Services – \$35,280
- Berry Surveying and Engineering – \$16,000

**Mr. Kern recommended accepting the bid from Berry Surveying and Engineering.** Bear-Paw has done business with them and in addition to being the low bidder, they are very thorough, and will perform a full perimeter survey. The original estimated cost of the survey was \$22,500.

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Mr. Berglund questioned an increase in the attorney fees from the original contract to which Mr. Kern responded that the **attorney fees listed on the proposal were an estimate only and that the actual legal fees are passed through to the client**. Problems with the easement language could increase these costs. Mr. Berglund reminded Mr. Kern that DCC would not be drafting the easement from scratch, but would be using the Town Forest Easement Deed as a template and adjusting the language to fit the Boisvert property. **Additional cost savings could also be realized if we could obtain the necessary title work that may have been done when the property was purchased.**

Mr. Kern explained that the “fees” were fixed and primarily for the grant application, baseline documentation, photos of the boundaries and interaction with the surveyor. Mr. Kern also commented that the Boisvert property fit nicely into the criteria for the **grant from the Merrimack Conservation Partnership which will offset the project costs by \$17,079**. The cash match for the grant is \$4,269 representing 25% of the grant award.

Dan Kern asked for a DCC **contact to work with Bear-Paw and the surveyor as needed**. Jim Deely volunteered to act as co-contact person along with Serita Frey who was volunteered in absentia. Mr. Kern summarized the process. Bear-Paw will supervise the surveyor, draft the easement, and work with DCC, Bear-Paw and its attorneys to agree on the language. When the easement deed is complete, the BOS will be asked to sign and a closing will be scheduled.

Jim Deely moved: *to accept the proposed Bear-Paw budget for the Boisvert Town Forest project in the amount of \$33,500 with costs to be offset by the Merrimack Conservation Partnership transaction grant in the amount of \$17,079 for a total cost to the town of \$16,421, and to move ahead with the survey.* Erick Berglund seconded the motion and then spoke to the motion. Mr. Berglund felt that the contract language in the Berry Survey proposal needed to be clarified and asked Mr. Deely to withdraw his motion.

**Mr. Berglund suggested that there be two motions**; one to accept the Berry contract with certain amended language, and a second motion to accept the Bear-Paw proposed budget for the project. **Mr. Deely withdrew his original motion and Mr. Berglund withdrew his second**. Mr. Berglund then commented that **the language addressing additional expenses not in the contract was too open-ended**. After discussion, **Mr. Kern agreed to have the Berry contract language revised to require authorization from the client for any additional costs, prior to their being incurred.**

Mr. Deely then moved: *to approve the Bear-Paw proposed budget for the Boisvert Town Forest project, total costs being \$33,500, offset by the Merrimack Conservation Partnership grant in the amount of \$17,079, with a total cost to the Town of \$16,421 to be paid from the Conservation Fund.* Mr. Berglund seconded the motion and the members voted unanimously in favor of the motion.

Ms. Hartnett informed Mr. Kern that **there has been ATV use on the Boisvert property** and that she has spoken with Road Agent, Mark Young to reinforce around the gate at the entrance in the spring. Ms. Hartnett recently posted signs at the gate with information about Town ownership and Foot Traffic only allowed. She also informed Mr. Kern that **the surveyor should know that DCC has contacted Epsom abutters about Town ownership and DCC survey. DCC plans to continue to keep all informed.**

**Finance:** Mr. Berglund reported the balance in the **Conservation Fund on November 30<sup>th</sup> was \$310,284.63 reflecting \$38.24 in interest**. Jim Deely moved to approve payment of an invoice in the amount of \$50.75 for a file cabinet locking bar. Kate Harnett seconded the motion which passed unanimously.

Acting Chair Kate Hartnett adjourned the meeting at 8:45 PM.

**The next meeting is scheduled for Monday, February 13, 2017**

*(Please check the website for scheduling changes)*

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*The draft minutes were prepared and submitted by Judy Marshall. Final revisions to these minutes will be contained in the minutes of the following meeting, after approval by the Deerfield Conservation Commission*