

# **TOWN OF DEERING**

762 Deering Center Road  
Deering, NH 03244

## **Board of Selectmen**

### **Final Meeting Minutes**

Thursday, November 2, 2023  
6:30 P.M. – Non-Public Session  
7:00 P.M. – Public Session

Members Present: Chair Jill Smith, Selectman Roy Watson and Selectman Steve Diers

### **Opening of the Meeting by the Chair at 6:30pm**

**Chair Smith made a motion to go into Non-Public Session at 6:32pm per RSA 91 A-3, II, (a) & (b). Seconded by Selectman Watson.**

**Vote by Roll Call: Chair Smith – yes, Selectman Watson – yes and Selectman Diers – yes.**

The Select Board came out of Non-Public Session at 7:03pm.

### **Opening of the Public Meeting by the Chair at 7:03pm**

### **Pledge of Allegiance**

#### **Item 1: Consent Agenda**

- Payroll – 10/25/23 Weekly (\$10,369.03) and 11/01/23 (\$9,473.82)
- Accounts Payable – 10/23/23 (\$18,317.70)

**Selectman Watson made a motion to approve the items in the Consent Agenda. Seconded by Selectman Diers. Motion Passed 3-0.**

### **APPOINTMENTS**

#### **Item 2: *Solid Waste* – Transfer Station Stickers**

Phil Griffin, member of the Deering Solid Waste Advisory Board came to talk to the Board about Transfer Station Stickers. He read the history of how Deering came to use the Hillsborough Transfer Station. He also said the Hillsborough Ordinance states that you must have a valid sticker and there have been issues with unauthorized dumping. They want to move forward with an annual update of stickers and want the respective Town Halls's to issue their residents stickers.

Selectman Watson asked if summer owners are allowed to use the Transfer Station?

Angela, the Transfer Station Manager answered, yes they could get one with their tax bill.

Chair Smith asked if they are yearly stickers.

Angela answered yes they would be yearly and could be handed out in car registrations.

Chair Smith said it sounds like this would fall under the Town Clerk/Tax Collector but the Board has no jurisdiction over their office. She suggested to have the Interim Town Administrator could

talk with them and coordinate it.

The Board agree by consensus to allow Chair Smith to ask Interim TA Kerris to coordinate Transfer Station Stickers with Town Clerk/Tax Collector.

Chair Smith said she was happy to announce the hiring of Marty Fisher as a Heavy Duty Operator contingent upon the verification of his CDL license as well as the background check. He is hired at the rate of \$25.50/hr.

Chair Smith said the Board also approved an increase for Darin Labier from \$24.96 to \$28.00/hr.

### **Item 3: Highway Department – Ventilation System, Snow Plow Contract**

Interim Road Agent Martin presented 2 estimates for a hydraulic hose crimp machine and supplies. He was not able to get a third quote. He said the cost of bringing the operation in house instead of buying them at the store will be a savings and they wouldn't need to rely on store hours to get a machine back up and running. He got 2 quotes, one from Gates for \$9,129 and Kimballs for \$8,753. The Gates quote is for a bigger machine with better functions and includes a training program. He recommends the Gates package. Any parts that they don't use or need can be exchanged.

Chair Smith asked if this was something already accounted for in his budget and will it save on that cost?

Interim Road Agent Martin answered yes the overall cost will be less to not have to have an employee leave to go have a hose made as well as having the equipment down. The ability to make the hoses themselves 24 hours a day is very beneficial.

Selectman Watson said he is ok with waiving the requirement of getting a third quote.

Selectman Diers said he is familiar with Gates but he would like to see the quote and would like to help get two more quotes.

Chair Smith suggested to move the discussion to the next meeting.

**Selectman Watson made a motion to delegate to Selectman Diers to investigate additional information and quotes for a hydraulic machine for a potential purchase. Seconded by Chair Smith. Motion Passed 3-0.**

Chair Smith asked if we've received another quote for the ventilation system.

Interim Road Agent Martin answered that he did not know because it was one from Chief Richards and nothing has been shared with him yet.

Chair Smith said she would put that discussion on the next agenda,

Next discussion was on the Snow Plow Finalized Contract and Chair Smith said she has read it and feels confident with it and asked Interim Road Agent Martin to explain how it would work?

Interim Road Agent Martin said the goal would be to bring a contractor on to take care of the smaller dead end roads and town parking lots and they will help with the current main power issues.

Chair Smith asked what the billable hours will look like.

Interim Road Agent Martin answered that the contractor would work the same winter storm event hours that the Highway crew works and can let them go once everything is caught up. They would be needed November 1<sup>st</sup> – April 30<sup>th</sup> and the rate depends on how much equipment the contractor has.

Chair Smith said she would like to treat this like other policies and have a 2<sup>nd</sup> reading.

**Chair Smith made a motion to move the Snow Removal & Plow Contract to a 2<sup>nd</sup> reading. Seconded by Selectman Watson. Motion Passed 3-0.**

Selectman Watson suggested calling a special meeting sooner since this is a time sensitive matter and it is already November.

Rod Duval gave another vendor suggestion for the hydraulic machine.

### **NEW BUSINESS**

#### **Item 4: Police Department – Body Camera Grant**

Acting Chief Cavanaugh approached the Board again regarding the purchase of body worn cameras and a State Grant he could apply for that would pay for 50%. In August the Board decided the decision to purchase the cameras should be up to the voters at Town meeting but in light of the grant, Acting Chief Cavanaugh wanted to ask the Board if they would now allow this purchase with the grant and that he feels he can find the remaining amount in his current budget. He said the proposed cost for 5 cameras is \$22,650. The grant needs to be applied for by November 22<sup>nd</sup>.

Selectman Watson said he was in favor of them.

Chair Smith asked if the Board could hold a public meeting for feedback and opinions before making the decision to purchase them?

Discussion ensued.

It was asked if a public discussion could be put on the November 16<sup>th</sup> agenda and would it be enough time to then apply for the grant?

The Board agreed to an expedited public discussion at the November 16<sup>th</sup> meeting.

#### **Item 5: Budget – Goal Setting & Budget Process Discussion**

Chair Smith said this was the time for the Board to set Goals and it is intended to be a time to raise any concerns.

Selectman Watson said he would like to make sure everyone has a digital copy of the budget spreadsheets to make the process go easier and by having an accurate product that is digitized.

Selectman Diers said he would like to see a favorable tax rate set that includes the pay adjustments that have been made this year while keeping the tax rate as low as possible. He also said he would like to see more attention to detail from each department on their requests.

Chair Smith said she would like to keep the tax rate as flat as possible but also fill in the holes in the budget where needed.

There was a discussion regarding a 3% increase for the employees with the Department Heads providing a projected amount of hours for part-time employees.

Chair Smith said Health Insurance rates have gone up 14.7% and Dental 4.9%.

Chair Smith said there have been some changes to the budget schedule, Administration will be on 11/21, Highway will be changed to 11/28 and Fire/EMS will be changed to 12/5. The update schedule will be posted on the website.

Steve Fogelson, member of the Budget Advisory Committee said eh agreed with having the departments come prepared and that the BOS and Administration should be working with them all year long. He inquired about the interaction at the joint meetings of the BOS & BAC and feels it should be the BAC that runs the meetings.

Chair Smith said it is a joint meeting.

S. Fogelson said he disagrees and that the BOS should have already been involved throughout the year and he is concerned about the lack of independence the BAC will have and the influence the BOS will have on them.

More discussion ensued.

S. Fogelson advocated that the BAC chair the joint meetings, create the agenda and ensure that input from the BOS is limited to asking for clarification and not driving a specific agenda or budget request.

S. Fogelson said he does not think that voting on budget line items is appropriate for the BAC to do. In the past they reviewed the budget and provided recommendations, document in minutes and then vote on the minutes.

Chair Smith said the ask of the BOS is for the BAC to validate their recommendations and vote so that the public knows what is unanimous and what is not and to put together a budget that is good and solid for the Town.

S. Fogelson said he feels that is an overstep and not appropriate of the BAC.

#### **Item 6: Employment updates**

Chair Smith said the Town Administrator job description has been updated and distributed to the Board for review.

**Selectman Watson made a motion to approve the revised Town Administrator job description. Seconded by Selectman Diers. Motion Passed 3-0.**

Chair Smith said they need to run an ad as well.

The consensus of the Board is to have Chair Smith make some amendments to the ad.

Chair Smith said there is one opening in the Highway Department as well as a back-up snow plow driver.

The Board agreed to continue to advertise for these positions.

Chair Smith said she would like to authorize Interim TA Kerris to choose where to advertise.

**Selectman Watson made a motion to delegate authority to Interim TA Kerris to decide where to post open positions. Seconded by Selectman Diers. Motion Passed 3-0.**

## **OLD BUSINESS**

### **Item 7: *Fire Department* – Updates**

**Chair Smith moved on to the status update of the conflict of interest issue.**

Pat Murdough said he was at the meeting looking to obtain updates and answers regarding the Conflict of Influence issue.

Chair Smith said she had some updates from Chief Richards that she wanted to list first. She said Engine 1 is down and it did not pass pump tests. Chief Richards recommended calling the KME Dealer, they will work on it once the engine is brought to them. He also asked to reconsider getting the vehicle exhaust for Murdough Station because it was going to be a while until a decision will be made about it's future.

**Chair Smith made a motion to approve the purchase and installation of a vehicle exhaust system for Murdough Station to be funded by ARPA. Seconded by Chair Smith. Motion Passed 3-0**

Chair Smith said they received an opinion from the Attorney and said that the Board does understand that the Chief and the Department feel this is an important position within the department. The following is wording from the lawyer regarding options:

The Town has only three options to avoid such a conflict of interest,

Option A – To rescind the proposal to create this new command position or alternatively create different duties for the position.

Option B – Appoint another individual who presumably does not have a conflict of interest issue.

Option C – The Town can decline hiring the above referenced individuals ambulance company and maintain that position or as long as this particular individual maintains that command position within the Town's Fire Department or owns the ambulance service.

Chair Smith handed Pat Murdough the letter so he could read the rest.

Chair Smith said one of the major issues is that this Board has not taken off the table the possibility of contract services and because of that, that is what makes it a conflict of interest.

Pat Murdough disagreed and the discussion continued.

Chair Smith said if this role is important to the Fire Department then they should move towards it but there are limitations of who can be in it and at this time, given our boundaries we look for direction on how the Fire Department would like to proceed.

Selectman Diers and Selectman Watson expressed their thoughts on the whole situation and reiterated that these decisions were difficult and not personal.

### **Item 8: Town Hall Railing Project – Quotes**

Selectman Diers said there are two quotes and he must abstain because he has a conflict of interest.

Chair Smith said she has not had a chance to review the quotes and would like to table this discussion to the next meeting.

Selectman Watson agreed.

### **OTHER BUSINESS**

### **Item 9: Minutes Approval – October 19, 2023 (Public & Nonpublic)**

**Chair Smith made a motion to approve the October 19, 2023 public and non-public minutes as presented Seconded by Selectman Watson. Motion Passed 3-0.**

### **Item 10: Selectmen's Reports**

Selectman Watson make contact with the Town of Henniker to walk the lines for the Perambulation. He reiterated the work of the Conservation Commission with the removal of the trees on Gregg Hill causing a wonderful view. Last he did research on the echo in the room as well as a projector and he presented a Samsung Freestyle wireless projector priced at approximately \$500 and could be moved around to any room.

Selectman Diers feels it is needed for the Planning Board to have a projector to show plans.

Selectman Watson will research the cost of a larger screen and bring it back to the next meeting to approve the purchase of the projector and the screen together.

Chair Smith said it has come to her attention two additional applications were received for the Road Agent position and would like to ask interim TA Kerris to schedule interview with them.

The Board agreed.

Selectman Diers did research on the garage exhaust systems, including talking to other towns and he feels Interim Road Agent Martin is on the right track.

Chair Smith asked if the rest of the Board knew why the 250<sup>th</sup> Committee needed to be under the Town umbrella? She said the committee has put a lot of work into it and the majority of the events are going to help off town property and are self funded and they do have some events that they want to have alcohol at them which could be problematic under the town umbrella. It feels like they could function better if they didn't have the requirements of being a governmental committee.

LouEllen Beard gave her opinion and she does feel that the committee could stand alone outside of the town umbrella.

Chair Smith said she would like to have Interim TA Kerris find out if they are standing alone, can the town still give money from the trust fund that was put aside to this group for this event?

Chair Smith said the town received another Perambulation request from the Town of Weare. Selectman Watson agreed to do the walk.

Chair Smith said they received an email from Grace Watson regarding the height of the flagpole and with that information got quotes from americanflags.com, going with the air force bundle quoted previously, adding the US Space Force Flag on, 8 oak flag poles and a new cord. Also needed is a classroom sized flag for the conference room. Two quotes are for \$618 or \$588.

**Chair Smith made a motion to approve up to \$700 from the Elmer Lock Memorial Fund for the purchase of flags, poles and rope. Seconded by Selectman Diers. Motion Passed 3-0.**

Chair Smith said the signs have come in for Wolfe Hill Road. There is an additional sign that states "Town of Deering Board of Selectman per RSA 41:11" that hadn't been previously approved.

The Board agreed to use the second sign.

Chair Smith said the Town Hall servers are requiring almost immediate replacement. She has gotten a quote from Back Bay and is awaiting 2 more. The other option is to utilize the cloud and would like approval from the Board to look into that option as well.

Selectman Watson and Selectman Diers agreed.

Chair Smith said there is a volunteer application that has been submitted from Christopher Esser for an open position and has background in technology. She would like to ask Interim TA Kerris to reach out to him for his input. The Board agreed by consensus.

Chair Smith announced that on Saturday, November 11<sup>th</sup> at 11:00am the Deering Patriotic Committee will be holding a Veteran's Day Ceremony by the Memorial Wall.

Chair Smith said Planning Board is having a Public Hearing next week on wording changes and these were sent to Town Counsel.

**Item 11: Public Comment (MAXIMUM-3 Minutes)**

***The Board always welcomes public comment and feedback. This is the only opportunity for public comment. If there is any need for the board's response a request should include an appointment on a future agenda, to include supporting documentation. Forward your request to the Town Administrator at least five business days beforehand. When speaking please state your name and address.***

Peter Beard voiced his concerns regarding Highway equipment and not enough employees to run the equipment.

Michelle Johnson presented the Boad with a petition to make the Town Road Agent an elected position.

Mike Stone re-iterated his comments of concern from a previous meeting about the state of the town and with another Town Administrator leaving that it falls on leadership which is the Board of Selectman.

**Item 12: If Needed-Non-Public per RSA 91-A:3, II, (a) & (b)**

**Chair Smith made a motion to go into Non-Public Session at 9:45pm per RSA 91 A-3, II, (a) & (b). Seconded by Selectman Watson.**

**Vote by Roll Call: Chair Smith – yes, Selectman Watson – yes and Selectman Diers – yes**

The Board of Selectman came out of Non-Public Session at 10:18pm.

**Chair Smith made a motion to adjourn the meeting at 10:19pm. Seconded by Selectman Watson. Motion passed 3-0.**

Respectfully Submitted,

*Wendy Baker*

Wendy Baker  
Recording Secretary