

# **TOWN OF DEERING**

762 Deering Center Road  
Deering, NH 03244

## **Board of Selectmen Final Meeting Minutes Thursday, June 1, 2023 7:00 P.M.**

Members Present: Chair Jill Smith, Selectman Roy Watson and Selectman Steve Diers  
Also Present: Town Administrator Peter Flynn and Recording Secretary Wendy Baker

### **Opening of the Meeting by the Chair at 7:00pm**

#### **Pledge of Allegiance**

**Item 1: Consent Agenda Acceptance including Manifest for Payroll - May 24, 2023- \$10,368.98, May 31, 2023-\$10,419.60; Accts. Payable -May 26, 2023- \$15,430.66**

**Selectman Diers made a motion to approve the Consent Agenda as presented. Seconded by Chair Smith. Motion Passed 3-0**

#### **APPOINTMENT**

**Item 2: Don Super-concerns and request for Codman Hill Road Requirements for building permit.**

TA Flynn explained this is an ongoing issue that started a year ago. Don Super requested to be on the agenda to speak to the Board about it but today sent an email saying he could not attend.

TA Flynn said this is what he knows about the situation on Map 243 Lot 16: The owner currently has a trailer parked on the property (but does not have a permit for the trailer) and he was issued a Building Permit for a foundation with conditions to improve the road, he has not lived up to the conditions and the permit is not valid until the road conditions are completed.

Road Agent Houghton said there are things Towns can and can't do on a Class VI road. Previously a berm was installed at the bottom of the hill to divert the water that was washing out a neighbors driveway.

The owner has wanted the berm taken out and Road Agent Houghton said he has met several times with contractors that the owner brought to the area to take the berm out and construct a cross culvert as well as build up the gravel but he never hired anyone to do the work.

TA Flynn was notified recently by the neighbor that the berm had been removed and gravel was never laid down to build up the lower middle area of the road.

Road Agent Houghton said a contractor recently brought him a plan that he did for a cross culvert but the owner never gave that plan to him. The plan was dated November 2022 and the owner paid for the plan.

Selectman Diers asked who put the original berm in?

Road Agent Houghton said it was the prior owner at the bottom of the hill and it was done with permission from the Town Administrator.

Chair Smith said the Board has the responsibility to make sure this gets fixed.

Road Agent Houghton said the owner needs to install the cross culvert and gravel or put the berm back where it was.

Chair Smith asked what is needed in order to fix the situation?

Road Agent Houghton said unfortunately the Town cannot do anything to the road and he would need a Cease and Desist Order.

TA Flynn suggested the Board authorize him to consult with town counsel.

Chair Smith said a letter should be written to the owner to say he was not authorized to remove the berm.

TA Flynn was asked to consult with town counsel for guidance.

Chair Smith asked that TA Flynn also request that the owner fill out a permit application for his trailer to be on the property.

### **NEW BUSINESS**

#### **Item 3: Discussion and Request for special condition in hiring Highway Laborer- (Meagen Kerris)**

Meagan Kerris, Finance Administrator approached the Board to discuss the challenges of hiring for Deering and everywhere currently. She suggested hiring a Light Equipment Operator with an agreement to reimburse them for half the cost of getting their CDL license with or without a contract.

Chair Smith asked if we currently did anything like this for EMS?

Road Agent Houghton said the Police do something like that.

Acting Chief Cavanaugh explained the process of sending new officers to the Police Academy while the town pays for their salary and they sign a contract to stay on for a certain number of years after.

Assistant Chief Connor said that Fire/EMS has a similar policy.

Chair Smith asked what the cost was to obtain the CDL license?

Road Agent Houghton answered \$9,000 for a CDL Class B.

Finance Administrator Kerris said there is a surplus in the budget now because the positions have been open for so long.

Deputy Chief Murdough pointed out that all of the larger construction companies are paying for the whole cost of the CDL license.

Road Agent Houghton said they can gain experience with plowing while taking the class with driving the backhoe and pick-up truck.

The discussion was tabled until the next regular meeting.

#### **Item 4: Second Reading- Purchasing Policy Supplement-Conflict of Interest/Ethics in Purchasing**

Selectman Watson said he likes the policy and thinks it is durable.

Selectman Diers agreed.

Chair Smith proposed the section in the Personnel Policy under Conflict of Interest, second bullet “Receiving any gifts or favors from, any member of the public, vendors, or supplies with a value exceeding \$200” to be changed from \$200 to \$50.

The Board agreed with Chair Smith’s proposed change to \$50.

**Selectman Watson made a motion to adopt the Purchasing Policy Supplement-Conflict of Interest/Ethics in Purchasing with the proposed amendment. Seconded by Selectman Diers. Motion Passed 3-0**

**Chair Smith made a motion to go into Non-Public Session at 7:55pm per RSA 91 A-3, II, (a) compensation. 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 8:11pm.

**Chair Smith made a motion to seal the minutes, because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. Seconded by Selectman Watson.**

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

#### **OLD BUSINESS**

#### **Item 5: Review and adopt minutes of May 18, 2023, Public and Non-Public, May 25, 2023 (Special Meeting) Public and Non-Public**

Chair Smith suggested the following amendments to the minutes of May 18<sup>th</sup>:

Page 2, Third sentence, replace the words “things could slip by” with “blanket purchase bids should be reconsidered yearly”.

Page 5, Item 11, seventh sentence add “and or Finance Administrator” to the end.

**Chair Smith made a motion to approve the May 18, 2023 public minutes as amended and non-public minutes as presented. Seconded by Selectman Watson. Motion Passed 3-0.**

**Chair Smith made a motion to approve the May 25, 2023 public and non-public minutes as presented. Seconded by Selectman Watson. Motion Passed 3-0.**

**Item 6: Discussion re: Fire/EMS Chief position**

Chair Smith said we are looking at the responsibilities document for the Fire Chief.

Selectman Watson read the suggested additions from Assistant Chief Connor to add the following to the Fire Chief job description under the section of “Essential Functions of the Job”

- Provides administrative training to all chief officers regarding computer and cell phone access, payroll duties, NFIRS Incident reporting, and all other pertinent Fire Chief duties and tasks. This is to assure that the Town of Deering has adequate coverage for planned vacations and or extended absences that may occur.
- Oversees, plans, and presents annual Fire & Rescue Department operating budget, working closely with the Town Administrator and budget committee.

Chair Smith said she agrees with the additions and would like to propose adding the words “adheres to” after the word “oversees” in the second bulleted line.

Selectman Watson said he didn’t think we’d lose or gain anything by adding “adheres to” to the sentence.

Selectman Diers agreed to add “adheres to”.

Chair Smith recommends moving forward with the job description and it was approved by consensus of the Board with the proposed amendments.

Chair Smith asked Assistant Chief Connor if he had everything he needed to fill in?

TA Flynn said he has everything and will pass that along.

Chair Smith said the proposed roles and compensation will be discussed more in Non-Public session on Tuesday, June 6<sup>th</sup> at 6:30pm.

Chair Smith asked if there was a plan for returning the narcotics?

Assistant Chief Connor answered that he needed to check on that.

Chair Smith announced Assistant Chief Connor as the Acting Fire Chief and she thanked him and others for proposing a plan to get through this time.

**Item 7: Continued ARPA Funds-Discussion and update of funding requests- (Peter Flynn) Capt. Cavanaugh, Peter Flynn, and Brian Houghton to present data on their requests**

The following ARPA funded projects were proposed and presented:

1. Finance Administrator Kerris said in the winter the side entrance to Town Hall is dangerous with the ice and falling snow. She presented and proposed that during those months, the entrance be moved to the front doors and an ADA complaint ramp and

railings be installed. She provided 2 estimates which differed in price because of the materials used for the railings. The highest estimate is \$18,000.

The Board supports the project and would like to do more research.

2. Betsy Holms proposed using ARPA funds for adding a railing to the sidewalk. She said the estimate is \$16,500 and they plan to apply for a Moose Plate Grant if necessary but wanted to ask if all or some could be provided from the ARPA Funds.

Selectman Watson said he feels we should go for any grants that we can.

Chair Smith said any grants to reduce tax payer funding is good and we still need to rank all of the requested ARPA projects. She requested they proceed with the Moose Plate Grant at this time.

3. TA Flynn said there have been some requests for security cameras around Town Hall. Town Clerk Carol Baker said there needs to be a way to see who is entering the building and suggests cameras at the front entrance, side entrance, back stairway etc. She said Primex also suggested cameras looking onto the parking lots as well. TA Flynn said he will work on getting a quote.
4. Road Agent Brian Houghton proposed using ARPA funds on the following:
  - Retroreflective “road work ahead”, “be prepared to stop” and “flagger ahead” construction signs. Two sets of signs with bases. Total cost \$2,430.
  - Retroreflective “road closed” signs. Two signs and bases needed for a cost of \$810.
  - Retroreflective construction cones. Currently have 20 and would like 20 more. These are used by Police and Fire as well. Total cost \$500.
  - Exhaust hoses and kit for getting the exhaust fumes out of the garage. The estimated cost is \$3,000 per garage bay for a total cost of \$12,000.

Chair Smith asked about the quote for the garage doors.

Road Agent Houghton said the estimate for all of the doors is \$32,000.

Chair Smith said there is \$68,000 in the Trust Fund for Highway Buildings and she asked him to move forward with getting quotes per the purchasing policy.

5. Captain Cavanaugh asked to use ARPA funds to purchase a Conex style storage container to replace the old construction trailer now used to store fire arms equipment at the shooting range. He said the condition and security of the old trailer is not good and with this new storage container he could store other items as well such as old documents. The estimate for a 20’ container is \$4,500 new and delivered or \$3,300 used.

Selectman Diers thinks it is a reasonable request.

Chair Smith is concerned about storing police records but thinks it makes sense for fire arms equipment.

Selectman Diers asked if the department has flashing speed signs?

Road Agent Houghton said there is one but it needs to be charged and the Chief was moving it around town previously.

6. Chair Smith, for Finance Administrator Maegan Kerris, presented the need for two laptops, one for the Planning Board and one for Recording secretary/Website Administrator. There is a quote from Granite State Computers for \$1,950 for both. She asked to push this request forward to the procurement policy.

Selectman Diers said there is a need for these lap tops.

The consensus of the Board is to move forward with this project.

## **OTHER BUSINESS**

### **Item 8: Town Administrators Report and Department Reports**

1. Ordered streaming from vendor.
2. Finalized amended Procurement Policy for Distribution to Departments and Committees.
3. Finalized amended Bank Debit Card Policy.
4. In process of notifying Lake Improvement Association of Selectmen's representation. Betsy Holms was at the meeting and was happy to hear Chair Smith and TA Flynn would be attending their meetings.
5. Proceeded to set-up minute taking aspect of Wendy's job description (email address and Civic plus password)
6. Placed ATV Public Hearing ad in the Messenger for May 26<sup>th</sup> edition. Chair Smith asked TA Flynn to add the Public Hearing to the website calendar and to have any information and maps posted for the public to view.
7. Sent out certified return receipt mailing to abutters of the 1000-foot stretch for the ATV authority to use.
8. Provided additional information re: Fire Chief Position
9. In process of preparing a "conflict of interest" document for the inclusion of the temporary position.
10. Checking with Cemetery Trustees re: their own banking account.
11. Directed Melanie Kerr to copy me (TA on important if not all correspondence relative to assessing issues). Chair Smith asked that Planning and Zoning Board applications be posted in the Lobby.

### **Item 9: Selectmen's Reports**

Selectman Watson said he has no activity to report.

Selectman Diers said his Town Officials Class was postponed. He also expressed interest in having a workshop on either August 10<sup>th</sup> or 24<sup>th</sup> where the Board, the TA, Road Agent, Acting Police Chief and the minute taker get in a bus and tour the roads in town.

Chair Smith said she would like to find out if that would be legal to do.

Selectman Watson said he would have no objection if it is legal.

The Board tentatively set a date for the workshop on August 24<sup>th</sup>.

Chair Smith asked about the paperwork that was sent to the Planning Board regarding Eversource and tree trimming and asked that it be pulled back to the Select Board. She also asked who does the ads for the Public Hearing for the tree trimming?

TA Flynn answered the Town would place the ads.

Chair Smith said the 250<sup>th</sup> Committee met and updated the words Select Board to be Board of Selectmen and struck out the words “the Deering Recreation Committee”.

The Board approved the changes by consensus and asked that it be posted on the website.

Chair Smith said there are still openings on the following Committees:

Cemetery Trustee – 1 two-year term

Planning Board – 2 members and 2 alternate members

Zoning Board – 1 full member and 4+ alternate members

Conservation Commission – 1 full member and 1 alternate member

Budget Advisory Committee – 2 members

Patriotic Committee – 1 alternate member

Chair Smith said the Reservoir is looking great, thank you to all that cleaned it out and made it look the way it does. The cemeteries looked great for Memorial Day. She gave a shout out to the Patriotic Committee for a wonderful Memorial Day Ceremony.

Chair Smith would like to look into if there is a place that “shout outs” and appreciation for the volunteers could be displayed.

**Item 10: 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.*

**Item 11: If Needed-Non-Public per RSA 91-A:3, II, (a) (b) (c)**

**Chair Smith made a motion to go into Non-Public Session at 9:43pm per RSA 91 A-3, II, (a) employee (b) hiring & (c) reputation. Seconded by Selectman Diers.**

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

The Select Board came out of Non-Public Session at 9:55pm.

**Chair Smith made a motion to seal the minutes, because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. Seconded by Selectman Watson.**

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

**Selectman Watson made a motion to extend an offer to Brett Martin as full-time Highway Mechanic for \$28.00/hr. Seconded by Chair Smith. Motion passed 3-0.**

**Chair Smith made a motion to adjourn the meeting at 9:57pm. Seconded by Selectman Watson. Motion passed 3-0.**

Respectfully Submitted,

*Wendy Baker*

Wendy Baker  
Recording Secretary