

TOWN OF DEERING

762 Deering Center Road
Deering, NH 03244

Board of Selectmen Final Meeting Minutes Thursday, August 17, 2023 6:30 P.M.

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

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

Item 1: Request for Non-Public Session Per RSA per 91-A:3 (a), (c) & (l)

Chair Smith made a motion to go into Non-Public Session at 6:31pm per RSA 91 A-3, II, (a), (c) & (l) Personnel & Legal. 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 7:10pm

Chair Smith made a motion to seal the minutes. Seconded by Selectman Diers, 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.

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

Pledge of Allegiance

NEW BUSINESS

Item 2: Consent Agenda Acceptance including Manifest for Payroll (8/9/2023) \$16,759.70 & \$4,427.61; AP (8/9/2023) \$11,448.15.

The Board discussed the Consent Agenda and had no issues.

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

Item 3: First Reading - Disposal of Surplus Material and Property

Chair Smith said this is the first reading which means the Board will review it and decide if they would like to proceed to a second reading.

Chair Smith said she finds value in this policy and would like to move forward.

Selectman Watson and Selectman Diers agreed.

Chair Smith said with unanimous consent she would like to move forward to a second reading of the Disposal of Surplus Material and Property Policy.

OLD BUSINESS

Item 4: Donation – Wolf Hill Road signage & First reading of an Acceptance of Donations and Gifts Policy

Chair Smith said she also sees value in this policy and would like to see it moved to a second reading.

Selectman Watson and Selectman Diers agreed.

Chair Smith said with unanimous consent she would like to move forward to a second reading of the Acceptance of Donations and Gifts Policy.

TA Flynn said at the previous Selectmen's meeting Mr. Lefevre came to the Board requesting signs and offered to pay for them. He said he felt to provide transparency, the Board should accept the sign donation.

Chair Smith made a motion to accept the signage donation for Wolf Hill Road. Seconded by Selectman Watson. Motion Passed 3-0.

Chair Smith expressed gratitude to David Lefere for his donation.

Item 5: Legal Opinions - Discussion

TA Flynn sent a letter to Attorney Tanguay and received a response to it late today for the Board to review and put on the next agenda for discussion.

The Board agreed to review the information and have it placed on the next regular meeting's agenda.

Chair Smith said she received legal advice on Codman Hill Road and handed out the email chain to the Board. She asked if the berm could be installed again by the Town without having the road revert back to a Class V road that the Town would have to maintain. The answer she received was that the Town could do incidental repairs without having to have the road revert back to a Class V and it was suggested to put the landowner in question on notice that the Town will be doing the road repair at a stated repair cost and the landowner will be billed by the town for the cost of that repair. She said she feels this repair is something the town should do and would need to come up with a repair cost that is reasonable.

TA Flynn said he did some research and found an agreement from June of 2022 to put a berm above the property.

Selectman Watson said we should defer to the Road Agent to come up with a cost estimate for the repair and send the amount to the landowner and let them know the town will be doing the repair.

Chair Smith referenced "A Hard Road to Travel" page 97 where it confirms what legal counsel suggested.

Selectman Diers said he feels there is more discussion on this to be had in non-public before a decision can be made.

Item 6: Highway Department - Follow-up on 8/3 requests

TA Flynn said we have only received 2 responses, one was for calcium and the other was the warranty on the garage door from Crawford..

Chair Smith said she reviewed the calcium quote and has a concern that the Road Agent said that it was difficult to find this product and with the cost being \$15,823.50 and falling into our procurement policy requiring 3 quotes, if we are unable to source the product then we are in a position where we might have to consider it without the other 2 quotes.

Selectman Watson said our choices are limited and we need the calcium therefore we should move forward with this quote.

Selectman Diers asked if we are out of calcium now?

Chair Smith answered yes.

Chair Smith said she is concerned that the calcium usually is applied in August and the month is almost over.

Selectman Diers offered to look into other options and report at next Wednesday's meeting.

Chair Smith said the Road Agent provided information on the warranty for the overhead doors from Crawford. She said the quotes from Crawford and Overhead Doors look similar in quality and that Overhead Doors quote said it included connecting the doors to the side mount operators and adjusting the eye heights to 4-6 inches. She said she reached out to Crawford to inquire if their quote included that as well but have not heard back.

Then Board agreed to postpone a decision until next Wednesday's meeting pending more information.

Chair Smith asked TA Flynn to retrieve the information that the Road Agent has on the Road Reconstruction Bid.

Item 7: Fire Department – Interim Chief Connor

- **Fire Chief hiring process update**

Pat Murdough gave an update that they had 11 applicants, those were narrowed down to 5 and 2 have been recommended to be interviewed by the Board.

TA Flynn said he planned to inform the Board of the 2 candidates in Non-Public and then set-up the interviews for the 2 candidates.

Selectman Diers asked how long they took for each interview?

Pat Murdough answered they allotted 1 hour.

Chair Smith asked TA Flynn to reach out to the candidates for their availability to interview with the Board next Tuesday starting around 6:00pm.

- **Bids & Quotes – Garage Doors, Heating Ductwork Extensions, Exhaust Units, Ambulance**

Chair Smith asked if they were able to obtain any quotes for the items listed above?

Acting Chief Connor answered it would have been beneficial if the Fire Department was included when the Highway doors were quoted, but they do have someone coming out tomorrow.

Chair Smith asked what company they had coming to quote?

Acting Chief Connor answered Fimbel.

Chair Smith said we have one quote for the exhaust units and gave a copy to Acting Chief Connor.

Acting Chief Connor said he thought we were waiting on more bids for the ambulance.

TA Flynn said that is correct, we have one.

Chair Smith asked for quotes on the following: smoke detectors systems, fire suppression systems, ADDs and gas detection meters. She also handed out the ARPA spreadsheet that lists these items.

- **Wage discussion – FD/EMS/Per Diem**

Chair Smith said she is not familiar with the Department's wage structure and asked for an explanation.

Acting Chief Connor explained the current wage structure for Fire Fighters, EMS and per-diem employees.

Discussion ensued regarding wages.

Item 8: Minutes – Public 2/9/23; Public & Non-Public 8/3/23

Chair Smith made a motion to approve both sets of minutes public minutes from February 9, 2023 as presented. Seconded by Selectman Watson. Motion Passed 2-0-1 (Diers abstained)

Chair Smith suggested the 1st set of non-public minutes on 8/3/23 be unsealed.

Chair Smith made a motion to unseal and approve the first set of non-public minutes from August 3, 2023 as presented. Seconded by Selectman Watson. Motion Passed 3-0.

Chair Smith made a motion to approve the minutes from August 3, 2023 public and second set of non-public minutes as presented. Seconded by Selectman Watson. Motion Passed 3-0.

Item 9: ARPA Funds - update

TA Flynn reported that he received a memo from Captain Cavanaugh that he purchased the storage container and saved approximately \$200 and thanked the Road Agent for helping clear the lot and make room for the new container and will be demolishing the old storage container.

Chair Smith distributed a spreadsheet showing ARPA purchases which includes the three items that have been purchased, streaming, laptops and now the storage container. She said the remaining balance is around \$197,000. Also included in the spreadsheet are estimates for other requested products that we do not have formal quotes for.

Chair Smith asked if any of the Board had notes on the request for tasers and body cameras and the cost of them?

Neither had the information with them.

The Board discussed whether to buy just tasers now or to purchase both tasers and body cameras for the current officers.

Selectman Watson said he is more comfortable fully outfitting the current officers and waiting on any future officers.

TA Flynn said there are 3 part-time officers, plus Captain Cavanaugh and the Chief when he returns.

The Board discussed whether the body cameras should be decided by the town residents or not.

The Board agreed that the body cameras should be a warrant article at town meeting.

Chair Smith asked TA Flynn to get a final quote on the tasers.

Item 10: Town Administrator's Report

1. Worked with Ann Mooney in preparing for the new employee training and catching up on permits and other related issues in the assessing department.
2. Requested information from Atty Tanguay Re: Comcast excavation request. – response is in the Board's packet.
3. Prepared Policy on Disposal of Surplus Materials.
4. Contacted Mobile homeowner Re: picking up ownership and possibly receiving a tax waiver.
5. Presided over five Part-Time Fire Chief Interviews.
6. Presided over interviews with candidates for the Part-Time Administrative Assistant/Land Use Coordinator and Assessing Clerk position.
7. Discussed Codman Hill Road issue with Town Counsel- vs. Don Super lawyer.
8. Set time and date for Solar Committee meeting. – TA Flynn said a couple of the members won't be available for meetings until November. Chair Smith suggested waiting until November to start the meetings. After discussion it was decided to proceed to an informal meeting next week.

Item 11: Selectmen's Reports

Selectman Diers asked TA Flynn if the laptop for the Planning Board has been purchased and is it here?

TA Flynn answered yes, it just came in recently and it is being set-up.

Selectman Watson said he had previously offered to do research on elevators and unfortunately there is newer technology and what can be retained from the existing elevator is only the shaft and because most are custom built on site he has heard figures all over the map. He said he looked into grant funding and the closest one he could find was the Community Facilities Direct Loan Grant Program, unfortunately the criteria is a minimum of 15% of the project if you have less than 20,000 people but the median household income of the area has to be either below the poverty line or 90% of the State non-metropolitan income. He then said he would like to request that the Planning Board put the elevator replacement into the Capital Improvements Program. If the elevator breaks and cannot be repaired, everything from the second floor will need to be moved to the first floor.

Selectman Watson said the Conservation Committee met last Monday and the Natural Resources Inventory is now posted on the website. The meeting brought up the point that the town has not developed a policy for video streaming for the boards, committees and sub-committees.

The Board had a discussion on video streaming.

Chair Smith agrees that a policy for video streaming should be created and feels transparency is important to give people as much access to information as possible.

John Reynolds, Cemetery Trustee asked if they are allowed to have their meetings outside.

Chair Smith said her opinion was that meetings should be held inside on streams whenever possible as this is how information gets dispersed and how we get volunteers.

Selectman Watson asked if there is any circumstance where a sub-committee would need to meet offsite?

TA Flynn answered yes, a site walk for the Planning Board.

Selectman Watson relayed a message that some are not comfortable being on video and this could have a negative effect on residents volunteering.

Chair Smith volunteered to look for policies in other communities for video streaming.

Chair Smith said next Thursday, August 22nd from 12:00 to 1:30pm the NH Municipal Association is holding a free webinar on the Right to Know Law and governmental records and suggests all Board members, Committee members and employees watch the webinar.

OTHER BUSINESS

Item 12: 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 inquired about the status of the Highway Department Road Agent. Jill explained that the Board couldn't answer at this time but will be able to explain later.

Resident Pauline Laliberte stated some information on previous minutes relative to increases in payroll for certain employees and said that more equity should be considered in the future.

Item 13: If Needed-Non-Public per RSA 91-A:3, II, (a) & (c)

- Requested by Peter Flynn – Personnel Issue-Hiring Recommendations

Chair Smith made a motion to go into Non-Public Session at 6:31pm per RSA 91 A-3, II, (a) & (c). 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 10:51pm

Chair Smith made a motion to seal the minutes. Seconded by Selectman Diers, 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.

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

Selectman Watson made a motion to extend an offer of part-time employment to Nicole Zheng at the rate of \$19.50/hr and \$21.50/hr after probation for the position of Administrative Assistant/Assessing & Land Use Coordinator. Seconded by Chair Smith. Motion Passed 3-0.

Selectman Watson made a motion to extend an offer of employment for a Fire/EMS position to Michael Kelly at the rate Firefighter Level 1. Seconded by Chair Smith. Motion Passed 3-0.

Chair Smith made a motion to adjourn the meeting at 11:00pm. Seconded by Selectman Watson. Motion passed 3-0.

Respectfully Submitted,

Wendy Baker

Wendy Baker
Recording Secretary

Roy W. _____

Jill S. _____

Steve D. _____

CONSENT AGENDA

August 17, 2023

1. Payroll- August 9, 2023; \$16,759.70; August 9, 2023-\$4,427.61; August 16, 2023 - \$11,448.15
2. Accounts Payable-August 18, 2023;- \$35,823.37
3. Appointment of Robert Cilic to Solar Power Committee
4. Appointment of Lilian Carter to the 250th Committee