



TOWN OF DEERING
Board of Selectmen
762 Deering Center Road
Deering, NH 03244

Meeting Minutes
November 21, 2019

Selectmen present: Allen Belouin, Rebecca Mitchell, Bill Whisman
Mr. Belouin called the meeting to order at 7:00pm.

MEETING MINUTES:

Minutes of November 4th were accepted at the November 7th meeting. Mr. Belouin motioned to accept the public and non-public minutes of November 7th, seconded by Mr. Whisman and unanimously approved.

DEPARTMENT REPORTS:

Fire Department: Chief Gorman notified the Selectmen of necessity to take leave beginning December 20, 2019 through January 2019. Assistant Chief Doug Connor will be the person in charge in his absence.

The Fire Department had pumps tested in collaboration with Frankestown. The 2006 Engine #1 pump failed. This apparatus services West Deering. Tanker #1 will cover while the equipment is serviced with Bull Dog Fire Equipment in Woodville, MA.

Chief Gorman presented Standard Operating Guideline (SOG) Number 9 Fire Command Vehicle Use and Response for Selectmen approval. Mr. Belouin motioned to approve of SOG No.9 with an effective date of November 21, 2019, seconded by Mr. Whisman and unanimously approved. Chief Gorman will distribute to all Fire/EMS Department personnel and collect acknowledgement of receipt forms for personnel files.

Chief Gorman will arrange for a representative from COMSTAR ambulance billing to attend a future Selectmen meeting for the purpose of explaining ambulance billing and advising on billing bad debt.

Chief Gorman explained the departments existing 18 Self Contained Breathing Apparatus (SCBA) units will expire in 2021. All units were purchased at the same time with grant funding. The total estimated replacement cost is \$225,756. Selectmen discussed a 2020 warrant article to establish and fund an expendable trust for SCBA equipment purchase and to replace half of the units in 2020 and the remaining half in 2021. Gorman also explained the SCBA refill station is scheduled for replacement in 2025, the estimated cost now is \$100,000. Hydraulic rescue tools need to be replaced in 2022 or sooner with a replacement cost of \$50,000 and the cardiac monitor is overdue for replacement, estimated cost \$35,000. The Ambulance Revolving Fund restricts revenue from ambulance billing for the purpose of ambulance equipment replacement. The Selectmen are agents to expend from the Ambulance Revolving Fund. Some equipment replacement can be purchased using this fund. Selectmen asked Chief Gorman to seek maximum grant funding for all equipment replacement needs.

Chief Gorman requested a promotion and rate change for Elaine Kirouac from Per Diem AEMT to Per Diem Paramedic and from \$17.00 per hour to \$20.00 per hour effective November 21, 2019. Ms. Kirouac recently completed her paramedic certification. Mr. Belouin motioned to authorize the promotion of Ms. Kirouac from Per Diem AEMT to Per Diem Paramedic and from \$17.00 per hour to \$20.00 per hour effective November 21, 2019 seconded by Mr. Whisman and unanimously approved. The Board congratulates Ms. Kirouac on her accomplishment.

Mr. Whisman asked Chief Gorman about the policy and enforcement of return of license plate placards when an employee terminates. Chief Gorman responded that terminating personnel are required to return the placards along with all other department issued items and that it is unlawful for non-fire/ambulance personnel to keep the placard on a vehicle after termination.

Mr. Whisman asked Chief Gorman to establish a plan for AED training for all non-fire department staff.

OTHER CONTINUED BUSINESS:

Revision Power Purchase Agreement and PILOT: Interim Town Administrator Ms. Kendall said, per town counsel, final draft documents are expected to be ready for review on November 22. Selectmen agreed to post a special Selectmen meeting for Tuesday November 26 at 6:00pm to review draft ReVision agreements.

Fire Pumper Lease Purchase: Chief Gorman reported the Fire Pumper approved at the 2019 Town Meeting will not be ready until the end of June 2020. Selectmen discussed delaying a lease finance agreement until closer to the equipment delivery date to reduce interest costs. Mr. Belouin motioned to rescind the acceptance of lease financing from TD Bank Equipment Finance and issue a new RFQ at a later date, seconded by Ms. Mitchell and unanimously approved.

Police Chief Retirement: Ms. Kendall spoke about Chief Pushee's last day which was marked by a radio sendoff of his peers. Plans are in place for a community potluck supper in honor of Chief Pushee on November 23 at 6:00pm and the public is welcome to attend. Another retirement celebration is scheduled for January 7, 2020 at The Gibson Room at Crotched Mountain Golf Resort. There is fee to attend that includes dinner and gift, the public is welcome to attend. The Selectmen congratulate Chief Pushee on his retirement and thank him for his dedicated service to the Town of Deering.

Selectmen discussed Primex Scope of Services to assist in the recruitment and selection of the next Police Chief. Selectmen will set a later date to have consultation with Primex representative.

Mr. Belouin announced Officer Stephen Bell has submitted a notification of retirement from his position as Patrol Officer effective December 7, 2020.

There was discussion about continuity of police department operations with acknowledgement that Police Chief recruitment can be a lengthy process. Selectmen will consider seeking consultation from an outside vendor with expertise in police department operations.

Interim Town Administrator Report: Ms. Kendall notified the Selectmen of findings from a recent NH Department of Labor audit which resulted in warning and violation. Ms. Kendall and Chief Gorman have scheduled an informal conference with NHDOL inspectors to demonstrate the violations have been corrected.

Ms. Kendall provided information about a dry hydrant project proposed to be placed at the Deering Fish and Game Club property identified on Map 219 Lot 020. Owners will be required to grant an easement to the Town for the purpose of providing, installing, constructing and maintaining a municipal dry hydrant on the property along with the right of ingress and egress for construction. The current deed copy on record at the town hall indicates the transfer of property from Hillsboro Fish and Game Club, Inc to Deering Fish and Game Club, Inc. The NH Secretary of State Office lists Deering Fish and Game Club, Inc. as dissolved February 1, 1991. The Selectmen discussed the legality of the NHDES Permit by Notification that was accepted by DES but not properly authorized by the Board of Selectmen. Mr. Peter Beard addressed the Board of Selectmen and expressed his concerns about the timeliness of the project. Selectmen stated to Mr. Beard that they may be willing to proceed with the project when the deed is resolved.

There was general discussion about the optimal locations and requirements for dry hydrant placement with Chief Gorman and attendees.

Ms. Kendall will meet with the Budget Advisory Committee on Monday November 25 to present the remaining budget items under the purview of the Selectmen.

TO BE REVIEWED AND/OR SIGNED:

The following manifests and request were approved by the Selectmen:

- Veterans Tax Credit Application Map 221 Lot 016
- Land Use Change Tax Map 215 Lot 007
- Employee Payroll November 20th \$ 14,976.62
- AP ACH XFER November 21st \$ 252.85

- AP Manifest November 21st \$ 156,665.02
- Town Hall Rental Agreement – Tuesday December 10, 2019 SAU 34 Public Forum Strategic Plan

Selectmen reviewed Hillsborough Police Services Agreement and tabled decision pending risk management consultation.

Selectmen reviewed and signed blanket Oath of Office – Special Assigned Police Officers
Selectmen considered request for Disposition of Firearm and tabled decision pending legal liability consultation.

Police Personnel Matter:

Mr. Belouin made a motion to enter non-public session stating RSA 91-A:3, II(a), seconded by Mr. Whisman. Roll call vote to enter non-public session Mr. Belouin, aye; Ms. Mitchell, aye; Mr. Whisman, aye. The Selectmen entered non-public session at 8:45pm. The Selectmen returned to public session at 9:25pm.

Ms. Mitchell motioned to accept Officer Bell's retirement, seconded by Mr. Whisman and unanimously approved. Selectmen discussed Police Department continuity of operations and Police Chief retirement ad next step in police department recruitment.

There being no further business to come before the Board Mr. Whisman made the motion to adjourn. Ms. Mitchell seconded the motion. The vote was unanimous and so moved. The meeting adjourned at 9:42

Respectfully Submitted,
\\s\ Diane Kendall, Interim Town Administrator

2020 Deering Fire & Rescue CIP

		cost per pack	Total	
Self Contained Breathing Apparatus (SCBA)	18	\$ 9,255	\$ 166,590	
SCBA Bottles (2 per SCBA)	36	\$ 1,451	\$ 52,236	
SCBA Masks	18	\$ 385	\$ 6,930	
			\$ 225,756	Total Cost
Hydraulic Rescue Tools	Need replacement 2022		\$ 50,000	
SCBA Refill Station	Needs replacement 2025		\$ 100,000	
Cardiac Monitor	Overdue for replacement		\$ 35,000	



Town of Deering Fire & Rescue

Memo

To: All Fire Department Personnel

From: [Your Name]

cc: Diane Kendell, Board of Selectmen

Date: October 24, 2019

Re: No Wage increase for 2019

I would like to address the rumors and questions regarding all personnel not receiving wage increases after the personnel evaluations were completed in June.

The actual reason why no one received a wage increase this year or the last, is due to the fact that I did not ask for one. I am sorry about that but when I started, I was told that wage increases were based solely on the evaluations, leading to me to believe that the Town Administrator and the Board of Selectmen made those decisions on wage increases. It turns they do make that decision but it is made after my recommendation, which I did not do, so I apologize. The Board of Selectmen had no part in this miscommunication.

All of our active personnel deserve wage increases for all that you do, day or night, weekday or weekend, leaving on holidays and family events to help your neighbors at a moment's notice. I will make sure there are funds in our wage line to cover anticipated wage increases for our active members.

Again, I apologize for this mistake and will rectify it as soon as I can.

Thank you,

Daniel Gorman, Fire Chief/EMD
Deering Fire & Rescue

To: Board of Selectmen
From: Chief Daniel Gorman, Deering Fire & Rescue
Subject: Fire & Rescue Report, October 2019

Date: 11/14/2019

News: The month of October was another busier month for the men and women of Deering Fire & Rescue (DFR) with nineteen (19) total emergency calls.

All fire department apparatus were inspected in the Month of September. Thanks go out to FF Dennis Prive for arranging for inspections and bringing them back and forth.

Also, in September, we removed fourteen thousand gallons of water from the cistern at the Town Hall twice. This cistern is part of the sprinkler system for the building. The tank was due for inspection so our crews took all of the water out of it. The company came and inspected it and we refilled it. During the inspection, it was determined that the tank had a large crack on the top of the tank. Before the tank could be repaired, we had to empty it again and then refill it once it was okay to do so. These types of ancillary duties do not show on our monthly activity reports but are time consuming. In all, this process took a total of sixteen (16) hours to accomplish with at least three (3) or four (4) personnel throughout the process. When taking the water out we had to truck a lot of the water away because there was no place to dump the water out near the Town hall without causing erosion to occur. Conversely, we had to truck all of the water to fill the cistern back up. We are glad to be able to help in these situations. I would like to thank everyone for their help with that project.

September 12th, I went to a Primex training about Risk Management with Gordan Graham as the speaker. It was a very enlightening program that talked about managing risks, not only on the fire or EMS scene but also in your day to day operations. I have always wanted to meet Gordan Graham for his work on risk assessment and management. I was able to talk with him for a few minutes and he was great to talk with. If you want to see what we try to model our training program on, google "Gordan Graham, High risks, low frequency events". He told me that speech happened 40 years ago, I told him it is still as relevant as it was back then. Very enlightening!

Grants: No new news to report

Upcoming goals:

- 1) Preparing for our 2020 budget
- 2) Data Collection of 2019 runs
- 3) Policy review and updates

SEPTEMBER ACTIVITY REPORT:

Repeat
of
Sept
Report

To: Board of Selectmen
From: Chief Daniel Gorman, Deering Fire & Rescue
Subject: Fire & Rescue Report, September 2019

Date: 10/16/2019

News: The month of September was another busier month for the men and women of Deering Fire & Rescue (DFR) with nineteen (19) total emergency calls. Fourteen (14) of the calls were for medical problems, three (3) were for a fire response and two (2) motor vehicle crashes. We required a mutual aid ambulance three (3) times due to staffing shortages on the weekend.

All fire department apparatus were inspected in the Month of September. Thanks go out to FF Dennis Prive for arranging for inspections and bringing them back and forth.

Also, in September, we removed fourteen thousand gallons of water from the cistern at the Town Hall twice. This cistern is part of the sprinkler system for the building. The tank was due for inspection so our crews took all of the water out of it. The company came and inspected it and we refilled it. During the inspection, it was determined that the tank had a large crack on the top of the tank. Before the tank could be repaired, we had to empty it again and then refill it once it was okay to do so. These types of ancillary duties do not show on our monthly activity reports but are time consuming. In all, this process took a total of sixteen (16) hours to accomplish with at least three (3) or four (4) personnel throughout the process. When taking the water out we had to truck a lot of the water away because there was no place to dump the water out near the Town hall without causing erosion to occur. Conversely, we had to truck all of the water to fill the cistern back up. We are glad to be able to help in these situations. I would like to thank everyone for their help with that project.

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Grants: No new news to report

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SEPTEMBER ACTIVITY REPORT:

Total Emergency Responses – 19

Per Diem Total Responses	7	On Call Total Responses	12
Per Diem EMS Responses	5	Call EMS Responses	9
Per Diem Fire Responses	1	Call Fire Responses	2
Per Diem MVA Responses	1	Call MVA Responses	1
Per Diem Transports	4	Call EMS Transports	5
Per Diem BLS Transports	0	BLS Transport	0
Per Diem ALS Transports	4	ALS Transport	5
Mutual Aid EMS Given	0	Mutual Aid EMS Given	1
Mutual Aid Fire Given	0	Mutual Aid Fire Given	0
Mutual Aid EMS Received	0	Mutual Aid EMS Received	1
Mutual Aid Fire Received	0	Mutual Aid Fire Received	0
Paramedic Intercept Received	0	Paramedic Intercepted Received	0
ALS Intercept given	0	Missed EMS Calls	3

Respectfully submitted,

Daniel Gorman

Daniel Gorman, Fire Chief/EMD

TOWN OF
DEERING, NH
DEPARTMENT OF
FIRE & RESCUE

Operations Manual

Title:
Fire Command Vehicle use
and Response

SOG NO: 9 ^{21st}
EFFECTIVE DATE: 11/14/2019

SUPERSEDES:
REVISIONS: All Previous

I) PURPOSE

This Standard Operating Guideline (SOG) has been developed to provide Deering Fire & Rescue personnel with an outline for the proper uses and responding with the Command Vehicle.

II) APPLICATION

A) All Members of Deering Fire & Rescue shall follow this Guideline unless otherwise directed by the Incident Commander, Senior Officer or Senior member present or on the air.

III) GUIDELINE

- A) Car 1 will normally be utilized by the Fire and EMS Officers assigned to the vehicle. Other department members may use the staff vehicle if arrangements are made with the Fire Chief assigned to the vehicle. Examples may be firefighters conducting fire prevention visits during normal business hours may use Car 1 if the Fire Chief does not require it.
- B) Car 1, if housed at the fire station after normal business hours, may be used by any Fire Department personnel for running approved errands, driving out of town for fire department related training, or responding to emergency calls in accordance with the standard operating guidelines. Response for emergency calls with staff vehicles are listed below. Firefighters should not respond to the station in order to use the Car 1 for response.
- C) Firefighters who wish to use Car 1 to attend class during the week must check with the Fire Chief to see if he/she requires the command car for after normal business hour details.
- D) All personnel driving Car 1 must have a valid driver's license.
- E) The Fire Chief or fire department officers may take Car 1 home for the purpose of responding to emergency calls. However, officers must respond to the station to staff apparatus for fire calls and normally should not respond directly to the scene unless they would be going by the incident.
- F) Before moving Car 1, walk around the vehicle to make certain that all doors are closed securely and that there are no obstructions in the path of Car 1.
- G) Personal Protective Equipment (PPE) shall be taken in Car 1 whenever it is being used.
- H) It shall be the Drivers responsibility to be certain that all members are seat belted. I) Car 1 should be parked at the scene in such a manner that is most effective for incident command operations.

<p>TOWN OF DEERING, NH DEPARTMENT OF FIRE & RESCUE</p>	<p>Operations Manual</p> <p>Title: Fire Command Vehicle use and Response</p>	<p>SOG NO: 9 <i>011/21/19</i></p> <p>EFFECTIVE DATE: 0815/2019</p>
		<p>SUPERSEDES: REVISIONS: All Previous</p>

J) Car 1 shall be refueled whenever the gauge reads less than one half tank. All fluid levels will be checked at the termination of each incident when Car 1 is back in station.

IV) ROLES AND RESPONSIBILITIES

All members of the Deering Fire & Rescue are responsible for complying with this SOG.

V) SAFETY

- A) All members of the Department are responsible for safety at all times.
- B) Appropriate Personal Protective Equipment (PPE) is required on the initial response to all calls. PPE may be reduced, removed, or modified at the discretion of the IC. Full PPE and Self-Contained Breathing Apparatus (SCBA) are required at the scene of all incidents where members could potentially become exposed to atmospheres Immediately Dangerous to Life & Health (IDLH).

VI) ENFORCEMENT

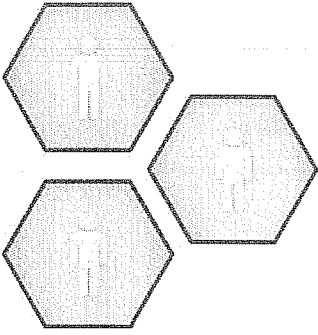
- K) Failure to adhere to this SOG may result in disciplinary action.
- L) All Officers shall be responsible for ensuring compliance with this SOG.

Approval by Board of Selectmen

Chairman Belouin *[Signature]*
 Selectmen Mitchell *[Signature]*
 Selectmen Whisman *[Signature]*

AUTHENTICATION

<p>SOG NO: 9</p> <p>Number of Pages: 2</p> <p>Approved By: _____</p> <p>Revision: 011/21/2019</p>



Town of Deering/Police Chief Recruitment

Scope of Services

Overview

As your risk management partner, Primex³ is pleased to submit the following scope of service designed to assist you in the recruitment and selection of your next Police Chief.

The services outlined below are comprised of two focal points which will support the process:

- 1) Preparation
- 2) Selection

We understand, as do you, that the recruitment and selection process is both a great opportunity and a risk. We hope to have the opportunity to work with you in this critically important endeavor.

Scope of Services

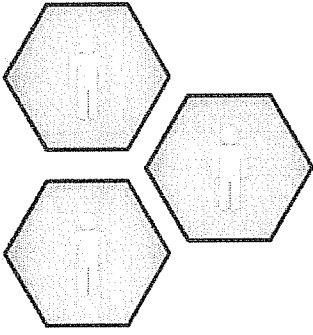
The action steps which support the above-mentioned focal points of this process are as follows:

1) Preparation

Primex³ will meet with the Board of Selectmen and any other staff the Board feels appropriate to review the recruitment process and define our respective roles. Following review of the scope of services, Primex³ will facilitate an exercise which will result in defining and creating the following:

- ▣ Critical issues the new position will face
- ▣ Potential roadblocks to a smooth transition
- ▣ Essential knowledge, skills, and abilities necessary in this position
- ▣ Behaviors and attributes the Board seeks in this position
- ▣ Qualifications of the ideal candidate
- ▣ Outline the timeline and process strategy including key dates and deliverables

Primex³ will prepare a summary of the items generated in the facilitated discussion and provide to the Board. This is a critical final step before undertaking the remaining components of this process.



[Organization Name/Job Title] Search

Scope of Services

2) Selection

a. Initial Interviews:

Primex³ will provide tools which can assist in the interview process. These may include sample forms, such as: recruitment timeline, resume and interview review forms, do and do-not ask questions, and sample interview questions. This round of interviews will result in the identification of finalists for the position.

b. Behaviors and Driving Forces/Motivators Assessment (optional):

Benchmark Assessment - Designated individuals complete an assessment which will help identify what behaviors and driving forces/motivators the Board is seeking in the position and how the Board "sees the job". This assessment also helps determine if all designated staff are on the same page for identified behaviors and driving forces/motivators. A benefit of the Job Benchmark Report is that the results will help Primex³ suggest interview questions that are consistent with the desired behaviors and driving forces.

Candidate Assessment - Candidates will participate in an exercise which will assess their workplace behaviors and driving forces/motivators. These results will be compared with the desired behaviors identified by the Board during the facilitated exercise portion of the process.

c. Final Interview:

Following a process similar to that in the Initial Interviews, finalists will participate in the final interview phase. At the conclusion of this portion of the process, the Board will identify their top candidate for the position.

Cost

There is no cost for the consulting work associated with this scope of service.

If the Behaviors and Driving Forces/Motivators Assessment is elected, the cost is \$30.00 per benchmark participant and \$40.00 per candidate assessment.

November 15, 2019

Board of Selectman

Town of Deering

762 Deering Center Road

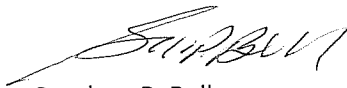
Deering NH 03244

Dear Board of Selectman,

I would like to notify you that I am resigning from my position as Patrol Officer for the Town of Deering effective December 7, 2019.

I appreciate the opportunity to serve the Deering Community, however after 21 years of being a full time Police Officer it is time to retire and move on to other endeavors.


Respectfully,

A handwritten signature in black ink, appearing to read "S. P. Bell", written in a cursive style.

Stephen P. Bell

Cc. Chief Pushee

Filing History

 [Back to Home \(/online\)](#)

Business Name**Business ID**

THE DEERING FISH AND GAME CLUB, INC.

60195

Filing#	Filing Date	Effective Date	Filing Type	Annual Report Year
0001715764	02/01/1991	02/01/1991	Withdraw/Dissolve/Cancel	N/A
0001715763	04/03/1987	04/03/1987	Amendment	N/A
0001715762	03/18/1977	03/18/1977	Annual Fee	N/A
0001715761	06/18/1956	06/18/1956	Annual Fee	N/A
0001715760	02/17/1950	02/17/1950	Business Formation	N/A

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NH Department of State, 107 North Main St. Room 204, Concord, NH 03301 -- [Contact Us \(/online/Home/ContactUS\)](#)

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Business Information

Business Details

Business Name: DEERING FISH AND GAME CLUB	Business ID: 715024
Business Type: Non Registered	Business Status: Non-Qualified
Business Creation Date: 04/16/2010	Name in State of Formation: Not Available
Date of Formation in Jurisdiction: 04/16/2010	
Principal Office Address: NONE	Mailing Address: Fish & Game Road PO Box 694, Deering, NH, 03244, USA
Citizenship / State of Formation: Domestic/New Hampshire	
	Last Annual Report Year: N/A
	Next Report Year: N/A
Duration: Perpetual	
Business Email: NONE	Phone #: NONE
Notification Email: NONE	Fiscal Year End Date: NONE

Principal Purpose

S.No	NAICS Code	NAICS Subcode
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No records to view.

Principals Information

No Principal(s) listed for this business.

[Home](#) > [Tax Exempt Organization Search](#) > [Deering Fish And Game Club Inc](#)

[< Back to Search Results](#)

Deering Fish And Game Club Inc

EIN: 02-0342236 | Hillsborough, NH, United States

Auto-Revocation List ⓘ

Organizations whose federal tax exempt status was automatically revoked for not filing a Form 990-series return or notice for three consecutive years. Important note: Just because an organization appears on this list, it does not mean the organization is currently revoked, as they may have been reinstated.

Exemption Type: 501(c)(7)

Exemption Reinstatement Date:

Revocation Date: 05-15-2013

Revocation Posting Date: 08-12-2013

Form 990-N (e-Postcard) ⓘ

Organizations who have filed a 990-N (e-Postcard) annual electronic notice. Most small organizations that receive less than \$50,000 fall into this category.

> **Tax Year 2009 Form 990-N (e-Postcard)**



State of New Hampshire

Department of Labor

Ken Merrifield
Commissioner

Rudolph W. Ogden, III
Deputy Commissioner

Hugh J. Gallen
State Office Park
Spaulding Building
PO Box 2076
Concord, NH 03302-2076
603/271-3176
TDD Access: Relay NH
1-800-735-2964
FAX: 603/271-2668
<http://www.nh.gov/labor>

November 1, 2019

Town of Deering NH
Attn: Diane Kendall, Interim Town Administrator
762 Deering Ctr. Rd.
Deering, NH 03244

Re: RSA 275:43
Federal ID #02-0278022

Dear Ms. Kendall:

In regard to your request that your company be permitted to pay your on-call fire, ems, inspection and election workers on a monthly basis, permission is hereby granted under the provisions of RSA 275:43, II, with the pay period beginning on the 1st day of the month and the pay period ending on the last day of the month with the designated pay day being the 2nd Wednesday of the following month or the closest prior business day.

This is being granted for an indefinite period of time, providing that:

1. No complaints are received from the employee involved; and
2. Payroll is regularly satisfied on the designated pay day; and
3. The information provided in your request letter does not change.

If complaints are received the permission would have to be reviewed.

If you have any questions feel free to contact this Department at (603) 271-0127.

Very truly yours,

Michele J. Small
Administrator
Inspection Division

MJS/cm

December 3rd at 10:00 AM Informal Meeting



State of New Hampshire

Department of Labor

Ken Merrifield
Commissioner

November 4, 2019

Rudolph W. Ogden, III
Deputy Commissioner

Hugh J. Gallen
State Office Park
Spaulding Building
PO Box 2076
Concord, NH 03302-2076
603/271-3176
TDD Access: Relay NH
1-800-735-2964
FAX: 603/271-2668
<http://www.nh.gov/labor>

DIANE KENDALL, INTERIM TOWN ADMINISTRATOR
TOWN OF DEERING
762 DEERING CENTER ROAD
DEERING, NH 03244

RE: FEIN # 020278022, Case 000058144, Invoice 000387342

Dear Ms. Kendall:

Recently, your business was inspected by Inspector McCulloch, who prepared a report, dated October 24, 2019. The purpose of the inspection was to check if your business was in compliance with New Hampshire labor laws. These violations were found, for which you are issued this **Warning**:

RSA 275:48
RSA 279:27

The Protective Legislation - Legal Deductions No Written Authorization
The Minimum Wage - Record Keeping

For the violations listed above, the Department of Labor proposes no civil penalty. Rather, this letter is a warning under RSA 273:11-a, allowing you 30 days to correct the violation. However, any future violations of these laws will result in civil penalties.

The inspection also found these violations, for which a civil penalty is **Proposed**:

RSA 275:43
RSA 276-A:23
RSA 276-A:24

The Protective Legislation - Paying Wages Later than Designated Payday ~ monthly
The Youth Employment - Limitation on Youth Training and Employment
The Youth Employment - Minimum Training Requirements

Based on the nature of these violations, the Department of Labor proposes a civil penalty for these violations of \$1,700.00, calculated at \$100.00 x 13, under RSA 275:43; \$100.00 x 2, under RSA 276-A:23 and \$100.00 x 2, under RSA 276-A:24.

You can respond to this proposed civil penalty in three ways.

First, if you are now in compliance with the violations cited and you wish to discuss the amount of the civil penalty, you may request an **informal conference**. Contact this Department at (603) 271-0127. The purpose of the informal conference is to provide documentation to show that the cited violations have been corrected. The informal conference is optional and you are not obligated to request one; however the purpose is to ensure compliance with the labor laws so future violations do not occur.

Second, if you wish to formally dispute whether these violations occurred or the amount of the proposed civil penalty, you have the right to request a **formal hearing**. To do so, send a letter within 30 days to: Administrator, Inspection Division, NH Department of Labor, PO Box 2076, Concord, NH 03302-2076. Include the Case number above. A hearing will be scheduled before a hearing officer, using the procedures spelled out in administrative rules chapter Lab 200 (available at www.nh.gov/labor). At the hearing, you may present witnesses, introduce evidence and establish such facts as you believe will support your position.

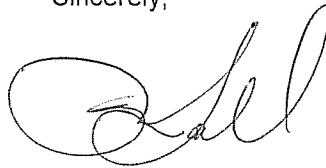
DIANE KENDALL, INTERIM TOWN ADMINISTRATOR
TOWN OF DEERING
November 4, 2019
Page: 2

Third, you can waive your right to any hearing and pay the enclosed invoice within 30 days. For payment by credit card (MasterCard or Visa) please call (603) 271-3605. No refunds unless authorized by the NH Department of Labor.

If you do not respond to this letter by requesting either a formal hearing or informal conference, then the proposed civil penalty will be presented to a hearing officer for final decision and you will be responsible to pay that decision. If you do not pay voluntarily, the Department may use its collection powers of RSA 281-A:57-a, including liens against property, or request the assistance of the state Attorney General.

If you have any questions, feel free to contact this Department at (603) 271-0127.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Small', written in a cursive style.

Michele J. Small
Administrator
Inspection Division

MJS/cag
Enclosure

State of New Hampshire
Department of Labor
Wage & Hour Inspection Division

CIVIL PENALTY PAYMENT REMITTANCE FORM (enclose with payment)

November 4, 2019

Make checks payable to: "Treasurer, State of New Hampshire" and mail to: New Hampshire Department of Labor, PO Box 2160, Concord, NH 03302-2160. For payment by credit card (MasterCard or Visa) please call (603) 271-3605. No refunds unless authorized by the NH Department of Labor.

Credit the account of: DIANE KENDALL, INTERIM TOWN ADMINISTRATOR
TOWN OF DEERING
762 DEERING CENTER ROAD
DEERING, NH 03244

Invoice Number: 000387342
Case Number: 000058144

Amount Due: \$1,700.00

Amount Enclosed: \$ _____

NAME: TOWN OF DEERING

REF: RSA 275:43

RSA 276-A:23

RSA 276-A:24

Checks returned due to insufficient funds or account closed will be charged an additional \$100.00 penalty fee. By RSA 7:15a, an unpaid debt may be assigned to the Attorney General for collection.

THE CHECK MUST BE ACCOMPANIED WITH THIS REMITTANCE FORM