

**Town of Deerfield
Board of Selectmen Minutes
February 16, 2011**

Present: Selectmen: John Paciorek, Carolyn Shores-Ness
Town Administrator: Bernard Kubiak
Absent: Mark Gilmore

Meeting called to order at 7:34 PM, John Paciorek presiding.

Minutes of February 4, 2011 - A motion was made by Ms. Ness, seconded by Mr. Paciorek, and voted unanimously to accept the minutes as presented.

Public Comments: None

Selectmen's comments or announcements:

Franklin County Selectmen's Association meeting has been moved from March 31st to April 7th.

Board of Health – Ms. Ness reported there has been a huge increase in flu, so her advice is: “sing the birthday song and wash your hands”. She said the good news is the vaccine is a match for the shot. Most are type A, some are type C.

Agenda: 7:45 PM – Hearing for Verizon
8:00 PM – Change of managers
Proposed solar bylaw

Statewide Mutual Aid Agreements Mr. Kubiak reported that the Governor has signed an act for statewide mutual relief in two sections:

- 1) Public Safety Mutual Aid Act (MGL 40 section 4J), and
- 2) Public Works Mutual Aid Act (MGL 40 section 4K)

The Massachusetts Emergency Management Association (MEMA) would like towns to vote to accept the Acts. Doing so allows towns to partner with any other towns in the Commonwealth in the event of an emergency. Basically, it absolves the Town of liability when it comes to the assistance of another town. It puts towns on equal footing in terms of liability. Fire districts have similar agreements. Mr. Kubiak said the Police Chief and Ambulance Director endorse this Act (section 4J).

The Highway – Public Works portion (4K) is not ready for implementation at this time. The Highway Superintendent is supportive of section K when it becomes available. He noted that, in addition to emergencies, it covers the Town for routine stuff. For example, if the Town loaned a man and a grader to another town. It encourages cooperation and cost savings between communities.

Ms. Ness said she attended a Homeland Security meeting yesterday and this was the topic of discussion. She discussed statewide mutual aid with Bob Berry of MEMA and feels quite comfortable with acceptance of this agreement. She said it absolves the Town of liability; however, if the Town is knowingly negligent there is a \$100,000 cap. A motion was made by Ms. Ness to accept this agreement. It was seconded by Mr. Paciorek, and voted 2 – 0.

Home business permits – A list of 5 home businesses was read. A motion was made to approve the permits as presented. It was seconded and voted 2 – 0.

Historical Commission preservation funding request: Mr. Kubiak said he'd received an e-mail from Jane Trigere of the Historic Commission. The Historic Commission is excited about the cemetery restoration project. It wishes to extend the project to include restoration of the West Deerfield and Clark cemeteries and repair of two monuments, the Bloody Brook monument and the stone slab on North Main Street. The Commission would like to have a professional restorer evaluate these properties. It would then request a commitment of \$60,000 from Community Preservation funds for this project, which is expected to take about five years. Mr. Kubiak said the Commission is looking for a letter of support from the Board of Selectmen. Ms. Ness said she had attended the Historic Commission meeting and thought the project was an excellent idea. She made a motion, which Mr. Paciorek seconded, to support the Historic Commission in this project and to commend it for work and energy being devoted to the project. The vote was 2 – 0.

Underwriting Announcement – WFCR - Mr. Kubiak reported that now that Deerfield is a landlord it not only gets rent but also 39 ten second spots on public radio. Ruth Kennedy has been pestering him for wording for these spots. He suggests, "Morning edition brought to you by the Town of Deerfield, a place to grow since 1673. Visit us in person or on the web at Deerfield.ma.us". The Board approved the wording.

Hearing: Verizon New England

A petition has been received from Verizon to lay and maintain underground four inch conduits and manholes on Pine Nook Road to provide distribution of intelligence and telecommunications. Mr. Bissant, representing Verizon, explained that the plan is to install new conduit at both ends of existing conduits that run under the railroad on Pine Nook Road so that poles T-17 and T-19 can be connected. An awareness of water pipes located in the area was raised. Ms. Ness said the pipes would be old and perhaps Digsafe would have no record of them. She was assured that this would not be an unusual situation and Verizon would be sensitive to this. A motion was made, seconded, and voted to approve the request. (2-0)

Energy Committee: Present – MA Swedlund, Jay Stryker

1.) Overlay District The Committee was present to present its recommendation for a solarvolaric overlay district, part of its goal to qualify Deerfield as a Green Community. The district would show areas where such installations would be appropriate. One proposed site for installation of large scale ground mounted solar panels is the closed landfill. Establishing an overlay district could require a zoning change. The maps presented are draft maps only; zoning changes need to be initiated by the Board of Selectmen. Once presented, the Board must act within 14 days. A motion was made, seconded, and voted to support movement of this process forward to the Planning Board. (2-0)

Progress toward a Green Community The project is moving along well. The goal is to find a way to reduce energy consumption by 20% within 5 years.

Street lights Mr. Kubiak has been able to obtain a list of all the street lights in town from WMECO. There are 326 lights at a cost of \$ 45,000/ year. Since no one has looked to see if the lights are providing light where needed (or not needed), Ms Swedlund and John Paciorek have been riding around town after dark looking at street lights. Once they have completed their survey, they will make some recommendations regarding lighting policies. According to WMECO Deerfield has too many street lights, based upon the Town's size and miles of roads. Mr. Kubiak has learned that WMECO will no longer install a street light without a formal request from the Town.

Hearing: Change of Manager at Circle K

The hearing was opened. Since none of the parties involved in the change were present, a decision was made to recess the hearing A motion was made to reconvene the meeting on March 2nd at 8:00 PM. (2-0)

Transfer Requests: 1.) Snow Removal - A request from the Highway Superintendent to transfer \$21,000 for snow removal was discussed. A motion was made, seconded, and voted to transfer funds, as requested. (2-0)

2.) Photocopier request – Mr. Kubiak presented a request for funding to replace a copier that is requiring excessive maintenance. He said this is a good time to purchase copiers, not because of the price of copiers themselves, but because maintenance contract costs are substantially lower if a purchase is made before the end of March. A motion was made, seconded, and voted to approve the request. (2-0)

Recreational Fund: Present- Jonathan Lowe

1.) Mr. Lowe said he had written a letter to the Board to clarify the matter of a fund that he said had been created for recreational purposes. Mr. Paciorek said there had been a fund with money to be put aside, based upon the taxable value of property being donated to the Town. Where it went he did not know, but it was voted at a town meeting.

Mr. Kubiak said he spoke to Mr. Clark, who chaired the Capital Improvements Committee, because it's unclear from the Town Meeting vote what the money was intended for. He said it was described as "for highway and recreation development." Mr. Clark recollected that because the property (which the Town had intended to purchase) was donated, the money that would have been used for the purchase (\$141,000) had been set aside as a capital appropriation for use by the committee that was to develop the facility. There was no vote for money specifically for the recreation department. The intent was to use that money for planning for a highway garage and recreational facility that was to go on the 6.01 acres. There's nothing in the quitclaim deed that specifies a purpose. Mr. Lowe agreed that there was nothing indicating intent in the deed, but there is on the Channing L. Bete [the donor] website. Mr. Paciorek said no money was ever appropriated because it was

discovered that the location was not appropriate for a highway garage. The recreation committee wanted to build a regulation soccer field, but that could not be built on that parcel due to wetland constraints. The conclusion was that the parcel is too small to construct anything on and that there were other places in town that could be developed for recreational use. Mr. Paciorek suggested that if additional abutting property could be acquired something might be possible.

2.) Mr. Lowe said the other issue is that his driveway is now a fire lane, which is not fair to his tenants. He said his tenants had their vehicles towed to Amherst. Police had the vehicles towed at the request of the fire district. Both Mr. Paciorek and Ms. Ness agreed that Mr. Lowe needs to take up this matter with the Fire Chief.

TRIAD Drug collection: Present – Sharyn Paciorek

Ms. Paciorek was present to announce that Triad, the Sheriff's department, the DA, and Boards of Health in Deerfield, Sunderland, and Whately are going to hold an event to collect unused/ out of date medicines. On April 30, 2011 between 10:AM and 2:PM there will be collections at the Deerfield Senior Center. The purpose of this event is to collect and properly dispose of medicines and medical paraphernalia so that these items do not wind up being flushed down the drain or get into the wrong hands. The successful flu shot event will be used as a model. She asked the Board for support, which the Board was pleased to provide.

The meeting adjourned at 8:55 PM.

Respectfully submitted,
Priscilla Phelps