

**Town of Deerfield  
Board of Selectmen Minutes  
March 30, 2011**

**Present: Selectmen** - Mark Gilmore, John Paciorek, Carolyn Shore Ness  
Town Administrator – Bernie Kubiak

**East Deerfield Rail Yard**

Hearing called to order at 6:30 PM

Present: Environmental Resources Management (ERM)  
John Drovinski, Licensed Site professional  
Lydney Colburn, Project Manager  
Sharon Ziemek, Environmental Manager

Mr. Gilmore announced this was a public hearing to give people in TV land a chance to know what is going on at the rail yard in East Deerfield. Ms. Ness added that this is an update on the progress Pan Am is making in resolving contamination problems that have developed. She said the Town appreciates all that is being done.

Mr. Drovinski, a Licensed Site Professional with ERM, spoke of the importance of meeting face-to-face to discuss the problems and progress being made to address them. He said the addition of Sharon Ziemek being on-site and available would be helpful.

Once a contaminated site has been identified by DEP a call for Immediate Response Action is issued. Under Phase I an initial assessment of the site is made. Phase II is a more comprehensive assessment; Phase III requires the development of a Remedial Action Plan; Phase IV is the implementation of the Action Plan and Phase V is the monitoring once the action has been completed. The final step is a Response Action Outcome Report which is filed with DEP.

Ms. Colburn identified the area of concern using a large map of the area where chlorinated release and petroleum residue has been found. The area she pointed out includes most of the buildings in the rail yard and an area identified as Lake Asphalt. In Phase II an aquifer with potential to be of drinking water quality, once cleaned up, was identified. Other environmental problems due to regular work at the site, such as washing train engines were uncovered.

Having discussed the findings of the investigative phases, Ms. Colburn turned to the remediation phase, currently in development. It includes installation of additional monitoring wells in the area where the remains of 19 barrels were found. This will be discussed further at a public involvement planning meeting to be held at Deerfield Town Hall on April 13, 2011 at 6:00 PM

**Hampshire Power:** Present- Ken Elstein

Mr. Elstein, a Belchertown Selectman, began by saying that most times when persons present ideas to Selectmen there is a dollar sign attached; his does not. Regardless of how good the idea, he said there are those who do not agree. He thinks his idea is good, but those who aren't interested don't need to.

Hampshire Power, part of the Hampshire Council of Governments, purchases power wholesale which it supplies to the majority of town governments and school districts in Hampshire and Franklin County. In the 5 years it has been in operation it has saved customers 1.4 million dollars.

In 1997 a deregulation act was passed, allowed customers to choose a supplier; it did not have to be the default supplier, which in this area is either National Grid or Western Mass Electric. He explained that power bills have two parts: the top portion is distribution, the bottom is supply. He said about 90 – 95% people have continued with the big suppliers, but some, such as the big box stores in Hadley, have taken advantage of the deregulation act.

Towns can select a supplier by taking three steps: 1) Town meeting vote to permit the Selectmen to act ; 2) Prepare a written plan, approved by the Selectmen, goes to the Dept. of Public Utilities and will acquire hearings and comment periods; 3) Once approved potential customers are notified and given the opportunity to participate.

In this area there are two utilities – National Grid and WMECO. National Grid's "Green up" program – purchase of green energy credits- allows customers to have green power. Hampshire Power will offer this. Energy credits can come from wind or solar sources.

Questions were asked about how the proposed solar power generation on the landfill and a methane plant under development of a local farm will fit into this program. Mr. Kubiak said the DPU has to figure out how Deerfield can sell power to the utilities. Hampshire Power might become the operator. He said he needs to complete the RFP for review by DOER and the formal application to DEP on using the landfill. Mr. Kubiak said the project is expected to generate about 2 megawatts, which will be more than enough to supply the town offices, but not enough to supply the town.

A question was raised about the situation that occurred in California with hour by hour purchasing. Mr. Kubiak said some of that situation was caused by big generators such as Enron stopping generation during peak hours to keep the rate high.

Mr. Gilmore said he's seen ads from Dominion encouraging people to use it as the supplier. He asked if persons who entered contracts with Dominion could convert to Hampshire Power. He thought it important that they be aware that upon the end of their contracts the option was available. Ms. Shore was wondering if comparison information would be available to people.

**Board of Health** Ms. Ness reported that since the nuclear disaster in Japan, EPA has taken steps to increase monitoring rainwater, snow, drinking water, milk, etc. The numbers of monitoring sites have been increased. Iodine 131 disappears relatively quickly in the environment. This is a short term thing; there are no issues we need to worry about at this time.

**FCAT** – Mr. Kubiak reported on a proposal for operation of DCTV. A small group of volunteers (students and adults) will be recruited and trained to operate the system. They will be paid \$25.00 per event with the anticipated cost \$7,750 for the program. FCAT will be responsible for doing the 1099 forms, etc. Ms. Ness said coverage of meetings is important for transparency. Mr. Paciorek said the program is set up for two meetings per week; he doesn't think that's enough. Mr. Gilmore wants the money we get from Comcast used as seed money to improve public awareness of Town Government and the technology of communications. He said because we haven't had a volunteer pool of persons, we haven't put money into places where it needs to go.

A motion was made by Mr. Paciorek, and seconded by Ms. Ness to fund this proposal in the amount of \$7,750. During discussion Ms. Ness said she would like to see the Arts Council get involved. The vote was unanimous.

**Southern Franklin Veteran's District** Mr. Paciorek attended a meeting on Thursday. He said it was an emergency meeting because the director, Leo Parent is retiring on June 30<sup>th</sup>. The 15 veterans present considered two options and elected to go with option one which is to allow Leo to work two days a week and to hire someone to work two days a week, providing service at the current level of four days per week. The arrangement will be reviewed at the next meeting on October 13th, at 5: PM in Turners Falls to see if this arrangement should continue or it would be better to hire a fulltime agent.

In the meantime Mr. Parent has been directed to contact Linda Dunlavy of the FRCOG about conducting a feasibility study. The Mayor of Greenfield has proposed that all of the towns in the county be merged into the Greenfield Veteran's group and a walk-in facility be created on Main Street. Greenfield has a budget of \$600,000/ yr. The Veteran's District, made up of 24 towns has a budget of only \$100,000/ yr. Ms. Ness questioned the disparity in financing and Mr. Paciorek explained the difference in the operational style of the two districts.

Mr. Gilmore praised Mr. Parent for his work in support of the best interests of the veterans he serves. He not only works with the veteran as an individual, but completes the necessary paperwork so that towns are reimbursed for their contributions to the benefits received by veterans who live in their respective towns. Mr. Kubiak said the state has introduced a web-based tracking system which should help to track reimbursements. He reported that there is an effort to get reimbursements in a timelier manner.

Mr. Paciorek urged that someone attend that October meeting. He offered to attend, if desired by the Board. He said the bottom line is that the Veteran's expense may be less than budgeted, but he recommends leaving it as it is.

**DEDC** - Mr. Paciorek said he has requested this item be on the agenda as there are issues that need to be hashed out so we can move forward. Some issues are: lack of audit and lack of meetings. He would like to call a mandatory meeting to see what can be done to get this committee fired up.

**Meeting** April 8<sup>th</sup> 9:30 PM to discuss budget and WWTP and other items.

**Geo Insite Contract** - Mr. Kubiak said this will be the fifth year of working with this firm. A lot of the progress that he and Lynn Rose have made keeping ERM and the railroads honest and moving forward has been through these people. He said the Finance Committee has approved this.

A motion was made by Paciorek, seconded by Ms. Ness to sign a contract with Geo-Insite. The vote was unanimous in favor. The cost of this contract is \$4,275

**Closing the Annual Warrant** - A motion to close the warrant was made by Mr. Paciorek, Mr. Gilmore seconded. The vote was unanimous in favor.

### **Other**

The Board will meet with the Finance Committee on the 19<sup>th</sup> at 7: PM for a final review of the budget. Mr. Gilmore requested that if there were items that required much discussion the Board be aware ahead of time. Mr. Paciorek asked if the \$1,000 increase in the Board of Selectmen's stipend was included. Note was made that the Assessors have requested an 18% increase, the reason being they have not had an increase in a long time.

Mr. Paciorek made a motion, seconded by Ms. Ness, and unanimously voted that Deerfield remain a single voting precinct.

A motion to adjourn with the signing of the warrant was made by Mr. Paciorek, seconded by Ms. Ness, and unanimously voted.

Respectfully submitted,  
Priscilla Phelps