

Board of Selectmen Meeting  
April 11, 2012

**Present:** Selectmen: Mark Gilmore, Carolyn Shores-Ness, Elizabeth Clarke  
Town Administrator: Bernie Kubiak

The meeting was called to order at 6:32 pm.

**Minutes:** None reviewed

**Public Comments:** None

**Special Town Meeting:** There are two articles. The first, approval of borrowing to construct a public Works facility has been reviewed by Town Council, Bond Council, and the Moderator. The second article to authorize expenditure of funds encumbered under a previous budget for police salaries, has been approved by Town Council and the moderator. Mr. Gilmore explained that the funds for the police payroll had been approved but not expended in fiscal 2011, pending completion of a labor contract, so this was not a request for “new” money. **A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, to set and sign the warrant for a Special Town Meeting on April 30, 2012.** The warrant for the STM must be posted by April 13, 2012.

**Annual Town Meeting:**

Mr. Kubiak led the discussion of articles. He said that articles 1-5 were housekeeping articles that appear at each annual town meeting.

Article 6, to amend the Frontier charter to give Deerfield 4 representatives, has appeared previously and voted down. Whately has since approved it at a special town meeting.

Article 7, submitted by the Planning Board requests approval for some zoning changes, mostly housekeeping to keep requirements consistent.

Article 8, which is also a Planning Board article, was to appear on the warrant, with the recommendation is to take no action. However, later in the meeting the decision was made to take it off the warrant.

Article 9 is a Community Preservation request for approval of expenditures of funds held in that fund.

Article 10 involves approval of use of funds in the Waste Water coffers. Mr. Kubiak explained that the fund is a special revenue source, much like an enterprise fund, that contains fees collected for services, thus it is voted separately. Mr. Gilmore said that in fact the WW fund was the result of a failed enterprise fund that the town took over. He would like to see solid waste management under the public works department.

Article 11 addresses the Planning Board revolving fund and the funds that come from filings.

Article 12 the omnibus budget will be reported separately by the Finance Committee.

Article 13 is the authorization of paying \$225 to the widow of a retired employee.

Article 14 involves the various capital projects.

Article 15 provides compensation for elected public officials.

Article 16 amends the classification plan, at the request of the Personnel Board, to add a maximum for those employees who are at the top of their salary range.

Article 17, the vacation and sick leave expense, could be included in the budget, rather than appearing as a separate article.  
Article 18 provides a reserve fund overseen by the Finance Committee.  
Article 19 raises and appropriates funds for training updates.  
Article 20 is the core assessment for participation in the FRCOG.  
Article 21 is another of the special revenue funds for the ambulance.  
Article 22 will provide for dividing the interest (\$724) on the Dickinson Library Trust Fund.  
Article 23 is a citizens' petition.  
Article 24 is another housekeeping article which calls for reconvening and redoing the budget, should it fail to pass.  
Article 25 provides instructions to boards and commissions.  
Article 26 to call the election.

After a discussion about the article regarding the compensation chart, **a motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, to set and post the annual warrant as adjusted.**

**Selectmen's Comments/Announcements:** Ms. Clarke invited the public to come to an open house at the current building to see the current conditions and to "touch a truck" on Saturday, April 14<sup>th</sup>. Also on April 14<sup>th</sup>, 9:30 – 11:30 the annual River Road clean-up will be held. It will begin at 617 River Road with a potluck lunch at noon at 595 River Road. The Highway Department will pick-up the trash collected.

**Board of Health Comments/ Announcements:**

**Appearances before the Board:** none

**Discussion and Decision Items:**

Appointments – Ms. Ness made a motion, seconded by Ms. Clarke, and unanimously voted, to appoint Ben Bryne to the Conservation Commission. Ms. Ness made a motion, seconded by Ms. Clarke, and voted, that Douglas Bennett be appointed to the Ag. Commission. Mr. Gilmore, having a professional relationship with Mr. Bennett abstained from the vote. (2-0-1)

FEMA reimbursements – A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted to authorize the Town Administrator to sign FEMA 4501 reimbursement contracts for the October 20 and 30, 2011 storm. Mr. Kubiak said the amount expected is \$43,000 which is 75% of the costs submitted.

DEP grants – A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to authorize the Town Administrator to sign DEP grant program contract forms.

One day liquor license – A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted to grant a one day liquor license for Deerfield Academy alumni gathering on May 22, 2012.

Walk for Meals or Wheels – **A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted to grant permission for a bake sale in the Town parking lot (Leary lot) on April 28 from 9:00 to noon. The fee will be waived.**

Public Works Facility – The ceiling cost for the proposed public works facility is \$6 million. The reaction of the architects and committee members is that this is high and upon further study will likely be reduced. It is expected that the Selectmen will authorize a portion of the stabilization fund (currently \$2,005,704.16) to be used for this project. By the April 24<sup>th</sup> informational meeting, an amount from stabilization needs to have been determined, so that a clearer financial cost can be provided. To help understand the true cost of the project Mr. Kubiak said the Town currently owes \$1.5 million on the Oxford property, which means that \$350,000 of that amount the portion to be used for the public works facility. He also advised that DOR has now decided that bond anticipation notes can be issued for no longer than 5 years, unlike the anticipated 10 year time frame. This means that the Town has to take some action by February of next year, possibly by rolling the 1.5 million into the garage bond. The question before the Board is how much it is willing to contribute from the stabilization fund, as this affects the amount that will need to be borrowed. Mr. Gilmore wanted to delay a decision until the Finance Committee had made its decision on the project. However, the question everyone (including the Finance Committee) wants to know is: how will the tax rate be affected. Mr. Kubiak said he would ask the Treasurer to obtain amortization tables for financing as high as 6 million dollars and as low as 4.5 million dollars.

Mr. Patterson said the project costs are not etched in stone. His take on the construction/site development costs (as shown in the estimation) are way out of line. He has been in contact with the architects, advising that many of the numbers are much higher than they should be. He anticipates that the construction (site preparation) costs alone can be reduced by \$500,000. The discussion continued with Mr. Gilmore stating that the drop dead date for having numbers to present is April 24<sup>th</sup>. He mentioned the Town's history of projects coming in under budget. Mr. Kubiak will have tax impact information for presentation at that time.

Insurance Report – A report prepared by Ms. Stokarski, as required by MGL Chapter 32B §21-23, regarding the Town's insurance was signed by the Board.

Division of Standards (Sealer of Weights and Measures) – Mr. Kubiak presented a revised assessment, reduced from \$6,000 to \$4,500, to have the state continue to conduct the inspections. **A motion was made by Ms. Ness, seconded by Ms. Clarke, and voted, to accept the proposal and allow the Town Administrator to sign the contract.** For future, the Board would like to know how Greenfield and Montague handle the inspections.

Budget – New spread sheets were passed out. Mr. Kubiak reported that the budget, as presented is balanced. It does not include new local aid money from the state. Not included in the budget is CodeRed, as he has learned that PEG (Public Education Government) funds cannot be used, as per the Comcast contract. Ms. Clarke would like to review the contract to see if an argument can be made that this is public information/education. The expense will be included in the budget, with a source of funding to be determined. There was discussion about how this program would work. Mr. Gilmore said he'd been hearing about this important need for three years and had yet

to see anything like a plan/policy for its use and implementation. **A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to include \$4,800 for CodeRed and \$4,500 for Weights and Measures Services in the contracted services budget.** The Town Administrator salary was listed, as per his contract. **A motion was made by Ms. Clarke, seconded by Mr. Gilmore, and voted to amend the Town Administrator's salary line to include a bonus of \$1,500.00.** After a discussion about the anticipated legal expenses, **a motion was made by Ms. Ness, seconded by Mr. Gilmore, and voted, to set the amount at \$25,000.** The remaining items were reviewed individually, with many questions for clarification, and then approved in one **motion made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to approve the balance of the items on the budget.**

**Circle K** – Ms. Ness reported that Circle K has been fined \$50.00 for selling a tobacco product to an underage person. Fifty dollars hardly seems a sufficient deterrent. She would like the tobacco coalition to do some educational outreach. Of note also was sale of alcohol to an underage person in 2010. Mr. Gilmore suggested the Circle K people be invited to meet with the Board. He wondered if it would be possible to tie all permits to compliance with controlled substance requirements. It was noted that the Town doesn't license the sale of tobacco products.

Ms. Ness said the program needs to be reviewed and updated as there are many new tobacco products that are being marketed to underage users. To assist in this process, she provided copies of an updated policy adopted by Amherst.

A motion was made by Mr. Clarke, seconded by Mr. Gilmore, and voted, to adjourn the meeting.

Respectfully submitted,  
Priscilla Phelps