

**Board of Selectmen Meeting
May 16, 2012**

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

Minutes: A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted to accept the minutes of meetings held on March 27, April 11, and April 25 in 2012.

Public Comment: none

Selectmen's Comments: Mr. Gilmore reported on a MEMA meeting he attended. The topic was mini drills, similar to the EMD drills Deerfield does. These drills would be focused on public places like nursing homes, Old Fox (now Crop Productions) and Yankee Candle, that may have hazardous materials stored on site. Emergency personnel need to know where the materials are located. He said there are federal guidelines on how to conduct such an exercise. MEMA is preparing a COMS trailer with radios, TV monitoring capabilities and other support items. The trailers will be smaller enough to be handled by regular vehicles (as opposed to semis). Ms. Ness said she thought she should talk to Bob Barry about their use for October 21st drive-thru event.

Mr. Gilmore inquired about receipt of an expected check. Mr. Kubiak responded that he's received an email and had signed off, but the check had not arrived yet.

Ms. Ness reported that a check is on its way to pay for a culvert on Mill River and the Stillwater Bridge work for fines under the Clean Water Act.

Board of Health comments: Ms. Ness reminded people to try to eliminate standing water – breeding places for mosquitoes. Watch out for ticks.

Appearances before the Board: none

Reorganize the Board: Ms. Ness invited Ms. Clarke to share her ideas on organization of the Board of Selectmen. Ms. Clarke said this all began when she asked if Mr. Gilmore was the permanent Chair of the Board. She recognized that there is a lot of expertise that could be leveraged to increase efficiency in moving projects forward.

Using the Town Report, she prepared a chart in which the Committees and Departments were put into categories under the headings: Financial & Administrative; Planning & Open Space; Infrastructure & Emergency Response; Social Services, Cultural Activities & Education. She found that the projects she was aware of seemed to be distributed across the first three categories. Additionally, she thought, some things did not have to be done by the Board, for example, citizens could be appointed to review the Town's Bylaws.

She went on to say that procedures for committees need to be established. A clear process for getting people on committees is needed so that interested persons know how to go about getting themselves appointed. It was her understanding that departments reported to specified board members, for example: the Police Chief reports to the Chair of the Board. Mr. Kubiak said this was only a tradition, not a legal requirement. Mr. Gilmore said that the Police Chief reports to the Board, not to an individual board member. Even Ms. Ness thought that there was a statutory requirement for the Chief to report to the Chair of the Board.

Ms. Clarke could see a need for some standing committees and also the need for committees established for specific purposes. She mentioned subcommittees to which Mr. Gilmore responded that subcommittees are best established from within committees themselves, when they need particular expertise. Ms. Clarke said she thought the charge to some committees is a little too vague.

Ms. Clarke then turned to Mr. Gilmore and asked if he planned to stay Chairman of the Board forever. He responded, "No" and that except for the past couple of year's chairmanship had rotated so that the person who was coming up for reelection would be the chair for that year. Ms. Ness added that the reason Mr. Gilmore had remained Chair had been his involvement with the Police Union contract negotiations.

Referring to the divisions Ms. Clarke had created, Mr. Gilmore asked who she thought would head which categories. She thought, as a lawyer, it would appropriate for her to be assigned Finances and Administration. She thought that Ms. Ness had interests in Planning areas, and perhaps Mr. Gilmore would like to continue to work with emergency services. Her concern was that Social and Cultural areas would become orphans. The Board chose to table the discussion at this point, so that other business could be taken care of.

Public Works Building Committee: Request for clear mandate - The Garage Committee has requested that it be given a clear mandate for moving the project forward and that the Board specifically designate, in writing, the portion of the Oxford site that is to be used for the new building so that it's clear what portion is still available for some other use. Mr. Kubiak presented a draft for the Board's consideration.

Appointment of OPM - He then said the project was at the point where an OPM (Owner's Project Manager) should be hired. This position is a state mandated position that needs to be filled before the project can move forward. The position does not have to be advertized if there is a qualified internal candidate. Mr. Patterson, who was present, and a potential candidate, was invited to come forward so that the discussion would be recorded. According to Mr. Patterson, the second position, Clerk of Works, does not need to be filled until construction begins. He said the Clerk of Works can be appointed by the OPM and can work as the site foreman. He said the OPM could serve as Clerk of Works also.

Questions were asked about how Mr. Patterson would manage this responsibility in addition to his full-time Superintendent's position. He thought the OPM would involve 20 hrs/ week. He said his department is organized so that the highway work will go on without difficulty. His guys are ready and motivated to get this new facility built. Mr. Kubiak said that an OPM needs to be on board within the next couple of weeks. He said the OPM can be an individual or a firm; it can be an engineer or architect, or someone experienced/licensed in the trade. Mr. Patterson has that experience. Ms. Clarke felt council should be consulted, as she felt there might be very specific conditions to be met.

Mr. Patterson said the OPM position is a lot of work and he wouldn't want to do it for nothing. OPM compensation is usually 2% of the project cost, but he thought that something in the nature of a stipend could be arranged. He said he would like to come back to the Board with a proposal. If he were to be appointed the OPM, he would resign from the garage committee in order to avoid a possible conflict of interest. The question was asked about whether there was a need for an additional skill set that should be sought, raising the possibility that the position might be split. Mr. Gilmore said he doesn't want to delay the project, but if this step needs to be reviewed by council, then that should happen.

Committee meetings - Now that the project has moved to the design phase, which is more technical, the committee plans to meet monthly, unless there is a need for additional meetings. The proposed charge for the committee will be circulated to the members for input and the Board will act on a final version at the next meeting.

Sticker fees for Transfer Station:

The recommendation put forth was that the fees be kept the same as last year. Mr. Kubiak said the Transfer Station seems to be doing OK at this time and arrangements are being made that are expected to bring costs down.

There was conversation about households that use more than one vehicle for dumping purposes. That problem could be resolved by issuing a second sticker. After discussion **a motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, that the dump sticker fee remain the same as last year (\$65.00) and that a second sticker for a second registration to the same household be available at \$10.00. The vote was unanimous.** The stickers must be affixed to the vehicle. Mr. Patterson suggested that in a future year the sticker could be designed with a spot for writing the vehicle registration number on it.

Transfer of Funds: A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to approve the transfer of \$1,000 to Select board Administrative Expenses and \$10,000 to the legal account. This is the third request for a transfer of funds to the legal account. Mr. Kubiak said legal expenses for this fiscal year are inordinately high; more than what is usually required for two and a half years, mostly due to labor negotiations.

VFW Request to Close Park Street: The VFW requests permission to close Park Street between the hours of 10:00 am and 1:00 pm on the day of the road race. The interim Police Chief has reviewed the request and approved the route of travel. **Ms. Ness made a motion, seconded by Mr. Gilmore, and unanimously voted to approve the request.**

Appointments of Public Weighers: A motion was made by Ms. Ness, seconded by Ms. Clarke, and voted to appoint a list of weighers as requested by Warner Bros./ Trew/ Allstates. The persons appointed are: Sidney Amidon, Leo Chicoine, Nicholas Denno, Corey Hamilton, James Houle, Todd Jarvis, Paul Johnson, Paul Olson, and Eric Page.

Sewer Entrance requests: A motion was made by Ms. Clarke, seconded by Ms. Ness, and voted to approve the requests of Steven Schechterle, Jr. and John and Justine Galenski for sewer entrance connections.

Ambulance Billing write-offs: A motion was made by Ms. Clarke, seconded by Ms. Ness, and voted, to write off costs totaling \$2,435.20 for 2 hardship cases.

Deerfield Lions Club Antique Auto Show: A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to waive the transient vendor's license and permit fees for the Antique Auto Show. This year the show will be held on July 21st, with rain date July 22nd, at Yankee Candle.

Surplus Flat files: A motion was made by Mr. Gilmore, seconded by Ms. Clarke, and voted, that any flat files that Mr. Patterson does not want be declared surplus and Mr. Kubiak be authorized to advertize them for sale.

Quarterly Selectmen's meeting; The meeting will honor John Olver. John McGovern and Richard Neal will also be present.

Ms. Ness wanted to say thank you to Lynn Rose for her presentation on May 9th of the Keystone Forest stewardship program.

Ms. Clarke made a motion, seconded by Ms. Ness, to go into executive session to discuss strategy with respect to collective bargaining as an open meeting may have a detrimental effect on the bargaining position of the Selectboard, to reconvene in open session. A roll call vote was taken: Mark Gilmore – Y, Beth Clarke – Y, Carolyn Ness – Y.

Respectfully submitted,
Priscilla Phelps

