

Town of Deerfield
Board of Selectmen
Minutes – June 20, 2012

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

The meeting was called to order at 6:30 pm.

Minutes: Minutes of the May 16th and 23rd meetings were approved in a motion made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted. Minutes of the June 6th meeting were held for review at the next Board meeting.

Public Comments: None

Selectmen's Comments/Announcements: The annual book sale will be held at the Deerfield Town Hall beginning on Friday, June 6, 5- 7 pm (members night); the sale continues on Saturday, July 7, 9-2pm; and Sunday July 8, 11am – 2pm (\$3 per bag). Ms. Ness encouraged people to donate books for the sale. The sale is for the benefit of the Tilton Library.

Mr. Gilmore wanted to acknowledge the passing of Herbie Sanderson, a former Selectman, and the many ways in which Mr. Sanderson contributed to the community...

Board of Health Comments/Announcements: Ms. Ness reminded everyone to continue to check for ticks.

The cooling center at the Senior Center will be open on Thursday between the hours of 10am and 3pm. On Friday, it will be open 10am to 2pm. Mr. Gilmore reminded people not to wait for someone to tell them they need help. Call for assistance from Police or Ambulance services, if needed.

Appearances before the Board: None

Discussion/Decision Items:

Next meeting date: Unless something comes up, the Board will meet on July 11, 2012.

Prioritization list of current and future projects: (continued from previous meeting) Ms. Clarke would like to see an open-items tracking system where new items can be added and completed items can be removed. Mr. Kubiak mentioned that it might be good to set up a calendar as there are many items that happen on a regular basis that wouldn't appear on such a list, plus other things that happen monthly, or weekly, or once a year. The suggestion was made that the person doing minutes could keep a spreadsheet and add action items while going through the minutes. Ms. Clarke thought it shouldn't be a big deal, shouldn't take long, but is high priority. Mr. Gilmore suggested Mr. Kubiak think through the process and report back to the Board. Ms. Clarke suggested that copies of the materials discussed at meetings be provided to the transcriber. Mr. Kubiak will see that this happens.

Moving on to prioritizing projects: Ms. Clarke's list:

- 1.) The public works project is up and running.
- 2.) Funds for CodeRed will be available as of July 1st. A meeting date of next Friday, June 29th, was set for an initial meeting to learn what the system is all about. Persons who should be invited are: all department heads, schools, fire dept., library, water dept., police, EMS, town

clerk, waste water, building inspector, and health agent. Following this meeting CodeRed will begin a phase-in plan.

- 3.) Personnel Evaluation System – Don Jacobs is working with Assessors; he is also redrafting some job descriptions. The Personnel Board would like an initial evaluation completed this summer, as the starting point. This would be followed by a review in November or December and a final evaluation in May. As part of the process, the personnel bylaw needs to be modified. Mr. Patterson asked if the Board had seen the federal evaluation process for providing bonuses, which he described as fair and worked. The system provides for a bonus incentive program. He will provide information to the Personnel Board.
- 4.) Committee process and procedures/ mandates –
- 5.) Oxford property – Now that the garage issue is settled, it's time to market the balance of this property.
- 6.) It's time to do an over-all review of the Town's bylaws. Some may be missing, others are obsolete. Mr. Kubiak pointed out some areas where this is already happening. The Planning Board has been working on those that pertain to its area of oversight. The non-criminal disposition needs to be completely be reworked.
- 7.) Internal policies – Mr. Gilmore said the charge to some departments may need to be increased or otherwise changed. For example the Rec. Dept. should be looking at more than just baseball and other ball activities. How about recreational activities for seniors? He said the Board of Selectmen could use some guidance in how to better direct matters that come before it. He commented on a need to find a way to keep town employees from taking the brunt of people who make demands because they are not happy when a response is not to their liking.

Ms. Ness added the following items:

- 1.) DEDIC (She didn't elaborate.)
- 2.) Senior Housing – There have been previous efforts; two sets of plans have been proposed, both of which were brushed aside. They could be dusted off, ready in the event that funding might become available. Ms. Ness said there is CPA money that could be used for such a project. Mr. Kubiak reminded that updating the CDBG Community Needs Statement to include Senior Housing would be a step toward positioning the Town for funding from HUD and other agencies.
- 3.) Inventory of Infrastructure – Ms. Ness asked how the inventory of highway infrastructure was progressing. Mr. Patterson replied it's a work in progress. Ms. Ness explained that there will be money available for the next couple of years for restoration projects. A third FEMA funded riverbank stabilization project along the Deerfield River is one example. Homeland Security is now funding the replacement of some culverts. There is also help with data entry for the ACAM highway inventory data base. With the information GIS layers could be added to the Assessors' maps to show where sewer lines, water lines, culverts, etc are located. There was also discussion about locating wells. Mr. Gilmore felt Mr. Calisewski could do a lot of this with a handheld GIS unit. Mr. Kubiak explained that the town has the software needed; what is needed is a project leader to organize and collect the data that's already out there.
- 4.) Mr. Patterson would need to guide the process of prioritizing the data collection/collation to get the best use of it. He thought profitability of the treatment plants might be increased by replacing sewer lines. Having lost the Oxford pickle plant input, running a sewer line down River Road, once other issues are resolved, might now be feasible.

- 5.) Ms. Clarke said there seem to be two types of projects: those that can be done entirely within a department, and those that are more “overall” in nature that should belong on the BOS list. She suggested scheduling was important in prioritizing projects. Ms. Ness pointed out that a STRAP Grant has been applied for so the Highway Dept can make repairs to River Road, but it won’t do a lot of good if the riverbank situation isn’t tended to first. She’s trying to “hustle” up \$750,000 for the riverbank project.
- 6.) Develop tobacco regulations – This was decided to be a BOH regulation, rather than a bylaw. Note was made that there is a distinction between a code, a bylaw, and a policy. Care needs to be taken to use the terms correctly.
- 7.) Improvement of emergency medical service. This is already beginning to happen. The Intermediate Certification has come through, effective July 1, 2012.

Highway Director Job Description: The Board reviewed the job description of the Superintendent of Streets and Wastewater (Highway Superintendent). After discussion, **a motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted to add the following under the category of Special Requirements: “The Town may require the Highway Superintendent to possess credentials to be properly certified as the Town’s Owner’s Project Manager (OPM), and may, from time to time, assign said Highway Superintendent to perform duties of an OPM on any Town building project that requires an OPM.”**

Transfer Station. Mr. Patterson reported that work to rearrange the transfer station site to accommodate an additional compactor which is partially funded through a grant will begin next week. The grant has to be expended by November. He presented a plan for the board to look over. The plan is to pave a portion of the area. The Board was surprised when he announced that, while not all of the bills are yet in for FY’12, it appears that the Transfer Station will be in the black, for the first time.

Solid Waste: A Memorandum of Understanding for the hauling of solid waste and other materials through the Franklin County Solid Waste Management District was reviewed. **A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to accept the Memorandum of Understanding.**

Annual Appointments: Several appointments shown on the list presented at the June 6th meeting were held for further review. The Board considered a recommendation from Matt Russo that no appointments be made to the Emergency Medical Services Committee. Having met its mandate with the establishment of DEMS (Deerfield Emergency Medical Service), the committee has accomplished its mandate. **A motion was made by Mr. Gilmore, seconded by Ms. Clarke, and voted, to accept the recommendation to dissolve the Emergency Medical Services Committee and to appoint: Bernard Kubiak, Carolyn Shores Ness, Mary Stokarski, and Jane Uden to the Health Insurance Committee.**

Complete Streets and Livability Grant RFP: Mr. Kubiak presented an invitation letter for the Board’s approval. Its intent is to solicit participation in a HUD grant to develop a plan for improvements to the residential and commercial districts of South Deerfield. He asked the Board for suggestions of persons who would have an interest in serving on such a committee. Suggestions included: some business owners such as Steve Schechterle, Peter Mays, or the Wrisleys; also residents drawn from street lists; and local banks. The overall group could be fairly large, with a core of as many as twelve working members.

Proposed Revised Fee Schedule: A schedule of fees charged by the Town was presented. One sheet contained those charged by the BOS, another by the BOH, and a third Building

Inspector fees. Missing were fees collected by the Town Clerk's office and those of plumbing and electrical inspectors. Mr. Gilmore questioned the basis of proposed changes in fees and was told they were driven by a cost basis, which could mean a change in requirements due to changes in state regulations or other circumstances. There were questions about the fees for auctioneers (resident vs. non-resident). **A motion was made by Mr. Gilmore, seconded by Ms. Ness, and voted to approve the schedule as presented.** Mr. Kubiak will add licenses issues from the Town Clerk's office for approval at a later meeting...

Clark Cross Road: Mr. Kubiak summarized the status of the road, stating that the Board needs to reaffirm the plan and sign the Mylar. It will then be affirmed and signed by the Planning Board. The plan then can be recorded at the Registry of Deeds. It is thought that pins were put in place when the survey was done. If not, this needs to happen. Mr. Patterson is going to visit the site and attempt to locate them. **A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, to reaffirm the layout plan as drawn in June 6, 2000, and to sign the plan.**

Transfer of Funds: **A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to approve the transfer of \$5,000 from Transfer Station Expense Account to General Highway Expense.**

Other transfers: **A motion was made by Ms. Clarke, seconded by Ms. Ness, to transfer \$463.42 from the Reserve Fund to Veterans/ Memorial Day Expenses and \$956 for amateur radio equipment.** During discussion Mr. Gilmore said he was reluctant to buy radios for ham operators, since most operators have their own radios. He would be willing to approve making money available for emergency communication purposes. Ms. Ness explained she was most interested in having preset antennas that could connect to Leyden and Mt. Toby. FEMA has a ham radio network as a backup for other systems. **The vote was unanimous.**

Town Administrator's Bonus: Mr. Kubiak said the Board had previously approved a bonus for the Administrator for FY'12, it has not voted to award it. **A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted to award a bonus of \$769 to the Town Administrator for FY'12.**

Appointment of representatives to the Health District Board: **A motion was made by Ms. Clarke, seconded by Ms. Ness, and voted, to appoint Mark Gilmore as the Town's Representative and Dick Calisewski as the alternate to the health district.**

Health Services Agreement: Mr. Kubiak requested the Board sign the agreement with the FRCOG that was discussed and agreed upon at the Board meeting on June 6th. It was voted, but apparently not signed; at least Ms. Walker doesn't have a signed copy. Copies were signed.

Clarification of Staff position: A suggestion was made that the three procedure items on the agenda be tabled for a future meeting. However, there was one policy matter that members thought needed to be cleared up – that of whether a member of Town Hall staff was, or was not, a voting member when appointed to a committee. It was agreed that the Board, when appointing a staff person, such as the Town Administrator, to a committee, should clearly state whether that person was simply a "staff-to-committee" person (essentially a "go-fer"), a full voting member, or ex-officio, there to participate but not vote.

The current status of Mr. Kubiak as a member of the police chief selection committee has been called into question by the chair of that committee, causing Mr. Kubiak to ask for clarification of his role. He was under the assumption that he was appointed to be a full member with voting privileges. The Board of Selectmen placed Mr. Kubiak on that committee to be an active participant because of his unique position; he knows and understands what the Town needs from an inside prospective, much the same as a CEO to the board of directors. He is there to

provide objective insight and to advise the Board of Selectmen. Ms. Ness felt Mr. Kubiak is most valuable to the Board being an active member who advises but does not vote. Mr. Gilmore and Ms. Clarke weren't as concerned about his voting, they felt his input and expertise was more important. Mr. Kubiak said at the last meeting he did not vote, but did contribute to the conversation. Mr. Gilmore will attend the next search committee meeting to clarify Mr. Kubiak's role.

A motion was made by Ms. Ness that the Board go into executive session to discuss strategy with respect to collective bargaining or litigation, as an open meeting may have a detrimental effect on the bargaining position of the Select board. The Board will not reconvene in open session. The roll call vote: Gilmore – Y, Ness – Y, Clarke – Y.

The public portion of the meeting then adjourned.

Respectfully submitted,
Priscilla Phelps