

Board of Selectmen Meeting  
Minutes – August 1, 2012

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

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

**Minutes:** No minutes were reviewed. A request was made that the practice of emailing draft minutes to Ms. Clarke for review be resumed.

**Public Comments:** Gary Kolakoski was present to report that pins have not been set for Clark Cross Road. Mr. Kubiak reported that Mr. Patterson was unable to locate any of the pin locations to his satisfaction, so he has contacted the surveyor [Randy Izer of Ainsworth Associates] to complete this project. Mr. Kolakoski will be notified when this has been done.

An unnamed individual asked if the Board had seen the article in today's *Daily Hampshire Gazette* about the Open Meeting Law. The Board had not. Ms. Clarke commented that she's in favor of open government, noting however, that the law is double edged in that it often slows things down since on a three member board, no two members can deliberate on anything related to town government except in an open meeting.

**Selectmen's Comments/Announcements:** Mr. Kubiak reported that 510 letters have gone out looking for persons who might be interested in the Streetscape and Livability Project; to date 18 responses have been received.

**Board of Health Comments/ Announcements:** none

**Appearance before the Board/ Hearings:**

**Police Chief Committee:** Present: Joanne Carney

Ms. Carney reported on the process that the committee followed in searching and evaluating candidates for the police chief position. She identified members of the committee as: Joanne Carney, Jay Wallace, Patrick O'Bryan, David Gendron, Marti Barrett, and Zachary Smith.

In phase I, 36 candidate applications were scored by members independently using an evaluation form; the results were then discussed. In Phase II, the field was narrowed to 7 eligible candidates scoring between 80 and 92. Following further review the field was further reduced to four candidates. On July 28<sup>th</sup>, the four were interviewed by the committee in hour long interviews. From that group of four, two finalists were determined.

Ms. Carney presented a detailed description of the two finalists: Patrick Droney and John P. Paciorek, Jr.

Droney: Currently, he is the Chief of Police in Ashfield, with previous experience as Director of Security at Loomis-Chaffee, a private school in CT. He retired from the Enfield Police Department after 28 years with the rank of Lt. He has nearly completed his master's degree in criminal justice at Westfield State University and has experience as an emergency technician.

Paciorek: Currently, he is a full-time officer in Sturbridge where he is the union president. He has 18 years experience as a police officer and 5.5 years in a command position when he served as chief in Erving. He has a master's degree from Western New England University, and is a certified emergency services technician.

Ms. Carney said the search committee had a fiduciary component, that of looking for a long term occupant of the position. Qualities sought are: professionalism, stewardship, integrity, knowledge, experience, accountability and ability to collaborate with the Deerfield Police Department and other state and federal agencies.

Since up to this point the Board of Selectmen has not been involved in the process, the search committee requested a meeting to discuss information regarding referral of the final candidates. That meeting will be on August 15<sup>th</sup>, as part of the regular Board meeting. In the meantime, the candidates will be asked to complete and submit applications for employment, and authorize complete background checks, complete reference checks – including current employers.

There was discussion of a meeting with members of the larger community who would be interested in meeting the finalists prior to the Board of Selectmen making the final decision on which candidate to offer the position.

Mr. Kubiak said formal letters will be sent to the finalists tomorrow. He will meet with the Interim Chief to discuss setting up an opportunity for the candidates to meet with police union people. He thanked Ms. Carney for her professionalism and the committee for the credible performance and depth of discussion that has gone into this process.

### **Discussion/Decision Items:**

**Reorganization of the Board** - Take no action until the full board is present

**Frontier School Committee appointment** - Letters from two persons interested in serving as the new School Committee representative have been received. After discussion the suggestion was made that Board members individually contact these folks to learn more about them and come to the next Board meeting prepared to appoint one.

**CodeRed** – The Board discussed progress in implementing the CodeRed emergency notification system. A decision about how to distribute the 5 codes available to the Town was considered. Mr. Gilmore, who has some experience with emergency systems, recommended that they be: north end of town (water/fire district), south end of town (fire/water district), EMD (Emergency Management Director), Police Chief, and Town Administrator. Mr. Kubiak said the five code holder positions will be listed on an affidavit to be signed by the Board and then notarized. Once the five code holders are identified, CodeRed will set up training sessions.

Mr. Gilmore talked about the codes that the appointed individuals would be required to have in order to access the system. He said there would be a password, a launch code, and a maintenance code. He talked about maintaining the lists of numbers that any messages would go out to, and the possibilities for designating specific areas where messages could be directed (whole town, a portion of town, etc).

**Draft Open Item List** - Mr. Kubiak asked if the format presented was as Ms. Clarke envisioned it. She thought it was fine for the time being, however, she would like if it would be arranged in order of priority, which the Board will decide at the next meeting. She also requested that nothing be removed from the list except by decision of the Board.

An item to be added to the list is “Policy Manual”. A way to begin might be by gathering all of the existing written policies. Mr. Gilmore thought it would be helpful to establish a table of contents that would serve as a skeleton of what is thought to be needed. Policies could be added under the appropriate heading.

The discussion then turned to a need for provisions for enforcement of policies. Ms. Clarke explained that recently issues have come before the Board where remedies have been proscribed, but there

had been no enforcement of them. She mentioned the piggery situation where a required fence exists, but is not maintained; there appears to be no incentive to keep the fence in good functioning order.

Ms. Clarke thanked Mr. Kubiak for putting the list together. She looks forward to seeing things come off the list because they've been completed.

**Staff Recommendations regarding information requests** – Ms. Clarke introduced this topic by explaining that the staff was asked to look at how it currently handles the public, how it deals with difficult situations, and to recommend procedures to improve them, if needed. Mr. Kubiak said that the staff had put this together without editing from him. The report was deemed a great start, but termed very predictable. A call for common courtesy works both ways. The request that complaints be in writing was discussed. It could be the basis of a tracking system for requests and responses, things to follow-up on, etc. Responding to some requests is difficult. A request that the door to the clerk's office area be locked was discussed; while most people do not just walk into the area, there is a security issue. Conversations at the counter are monitored by the Police Department; there is a sign notifying of this.

The handling of requests to talk to a selectman was discussed. When a request to speak to a Board member is made, the request is forwarded to that Board member. If the request is to speak to the Board, the request is put on the agenda as the Open Meeting Law requires that any meeting with the Board be public. A request to make a comment can be done in the public comment portion of the agenda. Should the request be more substantive, the Board would like information ahead of time, and the item be placed on the agenda. Ms. Clarke added that, whenever possible, others known to be interested in the matter should also be notified. Note was made that Selectmen can not have private meetings with people, as is sometimes requested. If the request is to talk about a specific individual, that person should be invited to be present.

**Policies for Transfer Station** - A request from the Clerk/Treasurer that policies regarding the Transfer Station be available in writing was discussed. This can be done and should be included in the policy book as should the policy regarding the use of space in Town Hall. Mr. Kubiak reported that a former policy that there be no charge for recycling was repealed some time ago. Since the recycle area is located within the transfer station, people now pay for a transfer sticker to have access to the recycle site. Mr. Gilmore would like the legality of charging for this access checked. He feels this should be revisited.

**All States Materials request** - Ms. Clarke made a motion, seconded by Mr. Gilmore, and voted, to appoint Curt Neill as a public weigher.

**Wiring Inspector** – The wiring inspector has advised that he will need training to meet new regulations, the cost of which is expected to be \$150 - \$200. He wishes to know if the Town will reimburse him. In discussion, it was revealed that the change in regulations now will mean that the inspector is required to acquire 21 hours of training over a three year period. Persons present were not sure what the policy was, but it would seem that this is a cost that should be recovered through the inspector fee schedule. The inspector develops his fees so that they include all of his expenses (mileage, training, etc).

**Sewer Commitment for Eaglebrook** - A motion was made by Ms. Clarke, seconded by Mr. Gilmore, and voted, to approve the sewer bill for Eaglebrook. The sewer use calculation is based upon the school's water meter readings.

A motion was made by Ms. Clarke, seconded by Mr. Gilmore, and voted, to adjourn with the signing of the warrant.

Respectfully submitted,  
Priscilla Phelps