

Board of Selectmen Minutes  
Meeting – September 12, 2012

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

**Minutes:** A motion was made by Ms. Clarke, seconded by Ms. Ness, and voted to accept the minutes of August 15, 2012.

**Public Comments:** none

**Selectmen's Comments/Announcements:** Ms. Ness wished to thank Tracy Rogers for an excellent tabletop seminar and drill on ethanol.

**Board of Health Comments/Announcements:** The Department of Public Health has raised the level of concern about mosquito born diseases. People should take precautions from dusk to dawn by limiting outside activities during those periods, wearing long sleeves, pants, and use spray with a deet component. This will go on until there is a hard frost.

**Appearance before the Board/ Hearings:** none

**Discussion/Decision Items:**

**Police Chief Appointment:** Mr. Gilmore stated that "in a closed door session negotiations with the candidate for police chief, John Paciorek, Jr., [who was] tentatively appointed last week, we have come to a substantive agreement..." Mr. Paciorek, Irwell begin work on September 24<sup>th</sup>.

**Energy Committee:** A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to appoint Jennifer Marapese to the Energy Commission.

**CDBG Revolving Housing Authority Loan Program:** Present- Robin Sherman  
(FCRH&RDA)

Ms. Sherman reviewed the 24 page document presented at the last meeting (8/29/12) and asked whether a decision had been made with regard to funds being repaid for housing rehabilitation projects. She is holding a \$6,734 check, repayment of a rehab loan. Its use is restricted and may be put either into an open account to be held until the end of the year or a revolving fund that can be reused for a new housing rehab. project. **Ms. Ness made a motion, seconded by Ms. Clarke, and voted, to authorize deposition the funds into a revolving fund and to approve the 2% handling fee.**

The next part of the discussion was to determine how the Town would like funds being returned to be handled on a regular basis. Some options are: 1) return all unrestricted funds to the Town, 2) once the revolving fund reaches \$XX return all unrestricted funds, or 3) split unrestricted monies 50/50 between the revolving fund and returns to the Town. Most of the funds currently active are from the 2004 grant. That program closed in 2009. The soonest funds from that round of grants will return as unrestricted funds will be 2014. Ms. Ness would like the Town to hold all of the unrestricted funds. Ms. Clarke and Mr. Gilmore favor keeping the funds in the revolving account. The Board spoke favorably about accepting the 50/50 repayment after 15 years, permitting projects that exceed \$35,000, and loan forgiveness for hardship (that are not self-created). **A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, to accept the agreement with the following provisions: returned loans be put in a revolving fund, projects that exceed \$35,000 be permitted (with authorization), declining balance (50/50 after 15 years), and loan forgiveness due to hardship.** Following the vote, the agreement was signed.

**Franklin County Selectman's Association:** The Board members will attend the meeting which will be held at the Polish American club on Thursday, Sept. 20<sup>th</sup>. Mr. Kubiak will follow-up on this.

**Franklin County Technical School:** Mr. Kubiak reported that Scott Bergeron will likely be appointed to the labor negotiations committee. He said he was interested, but simply doesn't have the time.

**Open Items List:**

1. Public Works Facility – Ms. Ness requested that a letter be issued to the committee to verify that she is replacing Ms. Clarke on the committee. She reported that a good meeting has been held. The project is on schedule; however there is little “squish” room left. She praised the Highway guys for their work in providing important information and doing the research needed to prioritize and find the equipment they will need. They have had input on the internal arrangement of the building space, as well.
2. CodeRed – Mr. Kubiak reported that passwords have been assigned. He received the App for the website today by e-mail and plans to have it on the website by Friday, along with an explanation, so that people can sign up. The data base has 2168 phone lines at this point. The next step is to get the password holders together and begin the training. Mr. Gilmore commented that people need to indicate on order of priority for those who will list more than one number. Also pointed out is the opportunity to receive only emergency notices or all calls broadcast over the system.
3. Personnel Evaluation System – The baseline evaluations have been completed, except for those for which Mr. Kubiak is responsible. He requested an extension of a week. The BOS needs to do its review of Mr. Kubiak. Mr. Gilmore said that was his responsibility.
4. Policy Manual/Bylaw review/ Internal Policies – Mr. Kubiak said he has received several policy manuals from towns with populations less than 10,000. The size and detail of manuals varies greatly. He hopes to pull together a table of contents from them. Ms. Clarke is working on organizing the bylaws by topic. She hopes to have it ready for next meeting. She also reported that a meeting has been set up for Sept. 25<sup>th</sup> at 6:30 pm. Committee chairs have been invited to attend. She plans to have a list of questions that others can add to. Ms. Clarke asked about a proposed policy of requiring water testing for properties that have well water. It was pointed out that that would be a BOH policy, not part of the regular BOS. At this time there is not a compiled listing of the Town's BOH policies/regulations.  
Non-criminal enforcement policies – Mr. Gilmore has been waiting for a new chief to be in place before pursuing this. He will have someone prepare a draft to be circulated by October 10.
5. Oxford Property - Mr. Kubiak said this is on target for the mid-October date.
6. DEDIC - Mr. Gilmore and Mr. Kubiak will meet to discuss this. Names of persons on the committee can be found in the Town Report. The statute needs to be checked to see what positions are required.
7. Senior Housing – low priority at this time
8. Highway Infrastructure/ data collection – Mr. Patterson will report on the progress at a future meeting. Mr. Patterson received an outline of a pavement management plan from the FRCOG. Ms. Mulhaney (FRCOG) has been surveying all federally assisted roads in Deerfield; she can be asked to do the same for roads not federally assisted.

**Add new item** - Stillwater bridge is reported separately by the *MassDOT* bridge team. Ms. Ness explained that as a member of the Transportation committee she has been working for years to get it included on the bridge repair rotation list. It has finally received a number, which is progress. She said now that the bridge has been assigned a number inspections of it are made by the Bridge Team. From time to time the Mass State Police do dives to check conditions; they take pictures which the Town has access to. Mr. Kubiak said it would probably take legislation for the state to take over maintenance of the bridge.

9. Tobacco regulations – Ms. Ness said the item presented is a template. Ms. Clarke had questions and comments. She will revise the coalition draft to make it a Deerfield regulation and bring it back to the Sept. 26 meeting for discussion and approval by the Board. A date will then be set for a public hearing.
10. Transfer Station – Mr. Kubiak reported that a quote will be accepted this week. The paper compactor is expected to be in place and operational by the first of November. Regulations as presented by Ms. Stokarski are in use. Mr. Gilmore feels that use of the transfer station for recycling should not require a sticker. He feels that requiring a sticker discourages recycling.
11. Restructuring Emergency Medical Services – Mr. Kubiak reported that the scheduled meeting for today had been canceled. He expects a presentation will be made on October 1<sup>st</sup> with the intent that the boards take it under review for decisions at a later time.
12. Streets & Livability Grant - Nelson/Nygaard has been selected as the design firm. Mr. Kubiak said he is waiting for the signed contract to come back. Once that happens he will set up a meeting with the lead person to establish a schedule to begin the process. The project needs to be completed by June.
13. Piggery - Ms. Clarke and Mr. Calisewski met with Mr. Romanowski and inspected the entire enclosure. Most of the enclosure has an electric wire inside a mesh fence. There is no electricity for the fence; the charger isn't working. In places there are holes dug under the mesh fence. Mr. Romanowski walks his fence every two weeks. There was a nest built outside the fence where a sow had a litter. Mr. Romanowski didn't know about it as he said no one called him. There was evidence of visits from a bear. Mr. Romanowski says he trains the pigs to the electrical charged fence. During the drought, the area where the pigs cool off dried up.

Ms. Clarke said it will take a change in the town's behavior to get Mr. Romanowski to make any changes. She suggested looking into fencing laws. There remains the option of property owners to seek reimbursement for damages. She didn't see any plan to check his fences more often. The attitude is that somebody is out to get him. The repeated assertion was that it's somebody else's responsibility to notify him when the pigs are out.

Mr. Gilmore suggested billing for the time police officers spend. This would be in line with policies in some towns charging residents for nuisance calls, such as setting off security alarms.

14. Inventory of Town Owned property – A spreadsheet can be created with the desired information about each parcel shown.
15. Open Positions – Mr. Kubiak will have Mr. Kroll put a list of open positions on the website.

**VFW request** – Mr. Kubiak reported that the VFW would like to move the flag pole in front of the library where it is now hidden in a tree and place it where a solar powered light can be attached to the top of it to light a flag. Mr. Patterson will advise the Board of a plan for doing this.

**Special Town Meeting** – Mr. Kubiak alerted the Board to the possible need for a Special Town Meeting. He said he is not ready to schedule one yet, but there are a few items that will eventually need to be addressed. One of them is the need to cover the cost associated with sending two young ladies to Smith Voc. (\$48,952). There is another veteran living in town that will require long term support. Mr. Kubiak explained how this program works. He said there is a movement to work toward legislation to allow deficit spending to cover veterans' benefits.

**Reorganizing the Board** – After discussion, the Board agreed to take this item off the agenda.

**Open Space Memorandum of Understanding** - A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, to sign the agreement for FRCOG services in updating the seven year open space plan.

Mr. Kubiak announced that all data is now being backed up off site. It is on the cloud.

Respectfully submitted,  
Priscilla Phelps