

Board of Selectmen Meeting
December 19, 2012

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

At 5:00 PM the Board of Selectmen meeting was called to order. Present in addition to the Board and the Town Administrator were Legal Counsel and the Police Chief. Chair, Mark Gilmore made a motion that the Board enter into Executive Session to discuss strategy with respect to collective bargaining as an Open Session may have a detrimental effect on the Town's bargaining position, and to comply with the provisions of any general or special law. The motion was seconded and in a roll call vote (Gilmore –y, Ness – y, Clarke – y) unanimously approved. Mr. Gilmore announced that following the Executive Session, the Board would reconvene in Open Session.

At 6:30 PM the Open Session of the Selectmen's meeting was called to order by Chair, Mark Gilmore. He announced that prior to this regular open session of the Board of Selectmen meeting, an executive session had been held. Labor Counsel and the Chief of Police were also present.

Minutes of the previous meeting (December 5, 2012) were reviewed and unanimously accepted, as amended by Ms. Clarke.

Public comments: none

Selectmen's Comments/ Announcements: "Happy Holidays!"

There are positions on the Personnel Committee and the Capital Improvements Committee that need to be filled. Interested persons should submit letters of interest to the Board of Selectmen.

Board of Health Comments/Announcements: Please get your flu shot.

Ms. Ness reported that she and Shawn Patterson attended a debris management workshop. It was good in that they obtained paperwork for the next event and got some clarification on what needs to be done to get debris out of the Deerfield River. There is recognition that this is a multi-million dollar activity that needs to be done to avoid a repeat situation. Ms. Ness said she proposed a solution, but there's work to be done to find the money. She also reported that the Hazardous Mitigation Plan is at MEMA.

Appearances before the Board/ Hearings:

Home Business: Digital Memories: Present: Christopher Noreika

Mr. Noreika plans to create a sports digital photography and archiving business at his home at 8 Oak Knoll Drive. He will not have a sign and does not anticipate any traffic. **A motion was made by Ms. Ness, seconded by Ms. Clarke, and voted to approve the home business request.**

Home Business: Dayspring Home Health Care: Present: Emilie Brodeur

Ms. Brodeur, who resides at 41 Foxtown Road, will provide care at clients' homes. She will maintain an office at her home. **A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, to approve the home business request.**

Police Department: Present: John Paciorek, Jr.

Chief Paciorek was present to present a quarterly report of department activities. He gave some statistics of activities, reported on policies instituted, procedures for handling evidence, and division of responsibilities for the two recently created Sgt. positions. A case was made for replacing the officer assigned crossing duty at the four way intersection in the center of South Deerfield with a crossing guard in order to free up the officer assigned to that post. The cost of hiring a crossing guard and who should be responsible for the position (the school or the Town) was left for the Chief and Town Administrator to work out.

Conway Road Neighbors Tobacco Sting: Present: Reena Sharma, an employee, and Dick Calisewski (health agent)

Mr. Sharma was in attendance to discuss the recent tobacco control sting where an underage person was allowed to purchase tobacco products. The Board of Selectmen, concerned about previous sales of alcoholic beverages to minors voted not to approve renewal of the liquor license until it had an opportunity to discuss the situation with Mr. Sharma. Mr. Sharma is contesting the charge and has filed an appeal. The Board, mindful of problems with other tobacco stings where errors occurred, and that it was not likely that the appeal hearing would happen soon, **unanimously voted in a motion made by Ms. Ness, and seconded by Ms. Clarke, to approve the renewal of the beer and wine liquor license for the Conway Road Neighbors for 2013.** Mr. Calisewski will do some follow-up work to clarify tobacco coalition practices.

Conflict of Interest: Present: John Paciorek, Sr.

Acting on the advice of counsel, Mr. Paciorek, Sr., who is the father of Police Chief John Paciorek, Jr., disclosed a possible conflict of interest for him when it comes to discussion of police matters by the Personnel and Finance Committees that he serves on. He said a vote of the Board would be sufficient to verify notice had been given. **A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, that the Board acknowledge disclosure of a possible conflict of interest with the condition that Mr. Paciorek, Sr. leave the room when items specific to police are discussed by either the Personnel Committee or the Finance Committee.**

Franklin Regional Council of Governments (FRCOG): Mr. Paciorek, Sr. reported that he has been elected to an executive position on the council and expects to be sworn in on January 2, 2013. This means that a representative for the Town will need to be appointed. The Town's representative does not need to be a selectman; some towns appoint the Administrator or some other individual to the position. The position involves quarterly meetings usually from 5:30 to 7:00 pm.

Discussion/Decision Items:

Town Office Operations: All offices except the Selectmen's will be closed on Monday December 24th. All offices will be closed on December 25th. Most offices will be open for the balance of the week.

Union 38 Contract Negotiations: The teachers' contract is up for renewal; a representative of the Town is needed. The representative can be either a Selectman or a designee. Mr. Gilmore asked Ms. Clarke to represent the Town and she agreed.

Solar Installations: Mr. Kubiak announced that there are two companies interested in putting solar installations on the capped landfill: American Capital and Broadway Electric. This is the result of RFP's that were put out by Eric Weiss several months ago. The proposed installation will generate more electricity than the Town needs. The FRCOG can help to market the surplus. The two proposals need to

be evaluated, possibly by the Energy Committee. He said that the selected firm will be required to obtain any necessary DEP permits.

There is another company that is interested in putting a solar installation on another parcel of Town owned land. The parcel of interest has 24 acres, only 8 acres of which would be used. During discussion the suggestion was made that perhaps the balance of the property could become a DEP approved debris site, something the Town needs to have.

With regard to town-owned properties, Ms. Clarke suggested an invitation be issued to Planning Board and other committees to meet for an overall, thoughtful discussion about the use of town-owned land.

Permit Renewals: A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted to approve the general business permits as presented. (Permit list attached)

Sewer Commitment: A motion was made by Ms. Ness, seconded by Ms. Clarke, and unanimously voted, to approve the sewer commitment for Eaglebrook in the amount of \$19,500.87.

Thank You to Yankee Candle: Present: Matt Russo

Mr. Russo said he wanted to thank Yankee Candle for its gift to the Deerfield Emergency Medical Service. At its annual gift giving presentation held earlier in the day, Yankee Candle presented EMS with money for the purchase of equipment for the ambulance. He said that Yankee Candle has been a great supporter of public safety. He commended Yankee Candle for making emergency responses safer by clearly labeling things and in staying up-to-date on codes.

The Board agreed with the sentiments expressed by Mr. Russo. The Company has provided scholarships for many students, some of whom were present to express their thanks. Yankee Candle has been a supporter of recreational programs and many other activities that may not always be recognized. The company has been a great supporter of the community; in turn the community should support this local business.

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

Respectfully submitted,
Priscilla Phelps

Attachments: General Business Permits