

Board of Selectmen Minutes
Meeting – January 23, 2013

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

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

Public Comments: none

Selectmen's Comments/Announcements: It's really cold out; check on neighbors.

There are vacancies on several boards: Personnel Bd. -1, Con Com – 2, ZBA -1 full member and 1 associate, and someone is needed to serve on the FCAT board.

Board of Health Comments/Announcements:

Get your flu shot – Shots are available at Town Hall on Weds from 10-4

Appearances before the Board/Hearings:

Personnel Board: Present - Jay Wallace, Joanne Carney , and John Paciorek

Mr. Wallace reported that in reviewing the Personnel Manual , his Board noticed a discrepancy between the Personnel Manual and the Town Bylaws over the Board's responsibilities regarding the handling of grievances. One set of regulations indicates that the Personnel Board is the decision maker. The other says the BOS makes the final decision. He said as a general practice the Personnel Board makes recommendations but leaves the final decision up to the BOS. Ms. Carney had prepared what she called "a compromise" with changes to both the Personnel Manual and The Town Bylaws for the Board's consideration. The request will be taken under advisement for discussion at a future meeting.

APR Discussion: Present- Planning Board members – John Waite, Lynn Rose, Paul Allis, John Baronas
Agricultural Commission – Tom Clark, Chip Williams, Steve Taylor, Doug Bennett
Open Space – Al Swedlund

As the Planning Board was gathering, it was discovered that the Agricultural Commission and the Open Space Committees were also meeting in different spots about the building. Since these boards would have an interest in the matter before the Board, they were invited to join in. Ms. Rose, a member of both the Planning Board and the Open Space Committee, called everyone's attention to the location of the land involved as shown on the Green Printing process maps leaning against the side of the room. She pointed out that the property is shown as moderate agricultural.

The Town has been requested to react to a request for an Agricultural Preservation Restriction on property located at the base of Mt. Sugarloaf in an area zoned CVRD. There are three parcels with limited access. The property which is not under Chapter 61A was identified as having several potential uses: farming, recreation, housing, and senior housing.

A response is expected by February 2nd. If the Board wishes to support the APR, it would be expected to contribute 5% of the value of the restriction toward same. No one knew what that value was. Ms. Ness felt that more information about the soils is needed in order to better decide if uses such as

housing are feasible. Due to the need to address other items on the agenda, further discussion was halted to be taken up again at another time.

Planning Board: FRCOG Technical Services list - The Planning Board wishes to continue to have the technical assistance provided by FRCOG. It also requested funds to begin the process of updating the Town's Master Plan. After discussion the items checked were: Other Planning (Mr. Kubiak and Lynn Rose to craft what that would be), Master Plan, Broadband Adoption, Regional Debris Management, Emergency Management, Regional IT, and Select Board Continuing Education Workshops.

Rezoning Whately Road: Mr. Waite gave a brief synopsis of the process followed by the Planning Board. Acting upon a request from Cinda Jones of W.D. Cows for a change in zoning for a portion of Whately Road, the Planning Board held a public hearing that was continued for several meetings. Ms. Jones said she didn't have any specific plans in mind, but had suggested bottling water or possibly a hotel as possible commercial uses. The major concerns of persons in attendance were water and traffic. At the end of the process, the Planning Board recommended against rezoning.

North Main Street: The Planning Board explained the zoning request presented by Mr. Decker. The first is to change zoning of the section of North Main Street from Captain Lathrop to the dry bridge, an area that has both town water and sewer. The second request is to address the problem created for lots along the railroad by a previous change in zoning. The problem is that there is no access to those lots. The Planning Board is planning to hold public hearings at its March meeting.

Clarification of a Special Permit process – Mr. Waite thanked the BOS for holding a meeting of boards recently, as it was an opportunity for boards to talk to each other and to clarify some confusion over the Special Permit process.

Rail Crossing: A concern raised during the Complete Streets charrette was the railroad crossing at Pleasant Street. The suggestion was made that the Conway Street crossing be re-opened and the Pleasant Street crossing be closed. Mr. Kubiak reported that MassDOT is not willing to do this right now. One reason is a stone culvert that would require engineering work that there isn't time to do. There will be changes, as the rails are being prepared to accommodate high speed trains. Mr. Kubiak said Tim Dorrity, of MassDOT has come out and is willing to modify some plans. Some changes that are planned are sidewalks with pedestrian gates at the Elm Street Crossing. A survey needs to be done to determine boundaries for the Pleasant Street crossing. Plans include a pedestrian crosswalk and an elevated street crossing. Also planned are structures to prevent snowmobiles from riding the tracks. There are a lot of people who use the footpath at the Conway Street crossing. Something will be done to close that area.

DCTV/FCAT : Present – Doug Finn

Mr. Finn reported that the Town is holding revenues from Comcast in an escrow account that he wishes to draw upon to purchase \$28,000 of new equipment that will allow FCAT to do new things. The account has a balance of \$188,555. He presented a list of new field equipment that he wishes to purchase to improve FCAT capabilities for recording in high definition. Currently much of the field equipment is kept at Frontier where it is used to cover school events. The new equipment will allow DCTV to reach out into the community, filming events such as parades and concerts on the common. **A Motion was made by Ms. Ness, seconded by Ms. Clarke, and voted, to authorize the purchase of the equipment on the list presented by Mr. Finn.**

Everyone is invited to an open house at FCAT on January 24th. Mr. Finn said the annual meeting will be at 7:00 pm.

Mr. Finn said he is getting information together in anticipation of negotiations with Comcast. A meeting on February 14th will be a planning opportunity prior to meeting with Comcast.

Discussion/Decision Items:

Senior Center Director: Mr. Kubiak reported that four candidates were interviewed for the position of Senior Center Director; two were recommended for consideration by the Board of Oversight (BoO). The choice was Diana Damon. Deerfield, being the lead community, affirmed the decision **in a motion made by Mr. Gilmore, seconded by Ms. Ness, and unanimously voted, to comply with the recommendation of the Board of Oversight.**

Street Light Shut off: Mr. Kubiak said on February 11th, WMECO will shut off 40 street lights for 45 days. These lights have been approved for shut off by the Police Department. The lights will be marked with a red cap. At the end of this trial period public comment will be sought. There are an additional 80 lights that will be considered for shut off. WMECO is working on a lumen reduction plan and the midnight shut-off. These activities will be at no cost to the Town except for police details. WMECO is looking into a pilot project to install LED lights in a town and is interested in using Deerfield as that town. The Board indicated support for an investigation into use of LED street lights.

Library Book sale: The Library will hold its book sale in town hall again this year on June 28, 29 and 30. As was done last year, books will be collected beginning on May 31st for a couple of weeks in the back half of the meeting room. Just before the actual sale, (June 20) tables will be spread taking up the entire room. Mr. Kubiak said the previous two years have been very successful for the library.

Permit renewals: **A motion was made by Ms. Ness, seconded by Ms. Clarke, and voted to approve the license renewals on the list presented.** (See attached list)

Reserve Fund Transfer request: The Library request is for \$1,167 from Reserve Funds to make repairs to the wheelchair lift (\$517.50) and cover inspection (\$650) of it. After discussion of a possible need to consider changes in the way town building funds for maintenance are funded. **A motion was made by Mr. Gilmore, seconded by Ms. Ness and unanimously voted, to approve the transfer from the Reserve Fund the amounts necessary to repair the wheelchair lift and its inspection.**

Appointments: **Ms. Ness made a motion, seconded by Mr. Gilmore, and voted, to appoint Chuck Knight to the Recreation Committee.**

M.A. Swedlund has volunteered to serve as the Town's representative to FRCOG. Ms. Ness said she felt the representative should be a Board of Selectmen member and is willing to be it. **A motion was made by Ms. Clarke, seconded by Mr. Gilmore, and voted, that Ms. Ness be the Town's representative to the FRCOG.**

Budget Schedule: Mr. Kubiak reported that the Finance Committee will be meeting every Tuesday, beginning February 29th until town meeting. He suggested the BOS might want to devote more time to the process this year, given the financial picture. Although the Cherry Sheets aren't out yet, he has

concerns, based upon what the Governor is proposing. He expects to have all budgets available by the 29th. The BOS could decide at its meeting on February 13th how it wishes to proceed.

Sewer abatement: Frontier was overbilled. **A motion was made by Ms. Ness, seconded by Mr. Gilmore, and unanimously voted, to abate the Frontier sewer bill in the amount of \$2,837.17.**

Franklin County Regional Sheltering Agreement: tabled for next meeting

Oxford Property: Mr. Kubiak said he has had a few feelers about the pickle property. He would like to put out a RFP to see what ideas are out there for possible uses. He needs to know how much of the property is available. The suggestion was to ask the garage committee if any property should be held in reserve for future use (garage expansion). It is possible that a 21E (hazardous material evaluation) may need to be done, although nothing has happened there since the last 21E was done. A draft RFP has been forwarded for comment from the Board.

A motion was made by Mr. Gilmore, seconded by Ms. Ness to adjourn.

Respectfully submitted,
Priscilla Phelps

Attachments: permit renewals