

**Board of Selectmen Meeting  
March 27, 2013 – Minutes**

The meeting was called to order at 3:00 PM at the Deerfield Town Hall.

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

**Hearing: Dog Complaint:** Present – Police Chief John Paciorek, Jr.; Health Agent, Richard Calisewski; dog owner, Robert Trimbach

Mr. Gilmore called the hearing to order at 3:07 pm. He read the notice of complaint sent to Robert Trimbach by certified mail stating that a coon-hound mix dog, tag # 743, is declared a nuisance having bitten two persons at Eaglebrook School on two occasions: January 21 and February 5, 2013 and for not being in immediate control by the owner.

Chief Paciorek presented the report filed by officers responding to the complaints. The owner stated that he has difficulty controlling the one year old dog; he said the dog was more active than anticipated. He said he is actively looking for a new home for the dog, as he cannot keep it at the school where he lives and works. A recommendation was made that the dog go to a home that did not have small children.

When everyone who wished had spoken, a motion was made by Mr. Gilmore, seconded by Ms. Clarke, and voted to close the hearing.

Following discussion **a motion was made by Ms. Clarke, seconded by Mr. Gilmore, and unanimously voted, 1) the dog not be found dangerous, 2) written documentation be provided that any new owner is aware of the dog's behavior, 3) the town it goes to be notified, and 4) the Deerfield Selectmen be advised that these conditions have been met.** The vote was unanimous.

**Minutes:** Minutes of March 13, 2013 were tabled for editing. [Other minutes not yet approved are 1/30, 2/26]

**Public Comments:** none

**Selectmen's Comments/ Announcements:** none

**Board of Health Comments/ Announcements:** Ms. Ness reported that the cause of illness among some visiting Japanese students seems to have come from food served aboard one flight.

**Appearance before the Board:**

Public Works Facility Building: Present – Ralph Healy, Shawn Patterson

Mr. Healy was present to make a recommendation on selection of a General Contractor for the Public Works Building. He explained the process followed to arrive at the recommendation to hire the low bidder, Forish Construction. He spoke of the tremendous work that has been done to keep the building

a practical, simple, and enduring facility that will improve the safety and efficiency of the Public Works Department.

Mr. Patterson explained the bid had been structured with three add-alternatives should pricing allow: fuel island, extra outside storage, and wash bay. Unfortunately, the basic bid price was such that none of the alternatives will be included. He explained how adjustments will be made. Mr. Kubiak added that some changes in the location of sewer and water hook-ups, plus energy credits resulting from grants that have been applied for will result in some additional reductions in cost.

**A motion was made by Ms. Clarke, seconded by Ms. Ness, to accept the recommendation of the Public Works Building Facility Committee at the amounts set out in Ralph Healy's letter, subject to the drafting of an acceptable contract.** Following discussion stressing the need to keep close watch on this project to be sure it successfully stays within the scope and budget, the vote was unanimous.

**Discussion/ Decision Items:**

- **Special State Primary warrant** – The Board signed the Special State Primary election warrant which will be the same date as Annual Town Elections – April 30, 2013.
- **One day liquor license** – **A motion was made by Ms. Clarke, seconded by Ms. Ness, and unanimously voted, to approve the request of the Franklin Land Trust for a one day liquor license to serve beer and wine following its road race on August 24<sup>th</sup>.** The serving will be at the Pioneer Gardens.
- **Annual Town Meeting**, Special Town Meeting, and town elections – Mr. Kubiak requested a hold on this until the Moderator has consulted counsel.
- **FY'14 budgets** - The Finance Committee has invited the BOS join it at 6:30 pm on April 2<sup>nd</sup> to discuss the shortfall (budgets exceeding revenues). Mr. Kubiak said some Capital Improvements may be deferred. Looking at user fees in relation to expenses for transfer station and tri-town beach should be done. In response to a comment about the rec. dept. being self-sustaining, Mr. Kubiak explained that monies collected for participation in the rec. programs goes into that dept.'s revolving fund and can only be used for rec expenses, which does not include the director. However, fees collected for use of the transfer station go into the general fund; persons who man the transfer station are paid from the general fund.
- **Multi-town meeting re: Frontier budget** – Ms. Clarke said she had requested this item and she would like to withdraw the item at this time. Mr. Kubiak noted an interesting item in the Frontier charter which requires that the towns' representatives hold a budget meeting in their respective towns prior to January 1<sup>st</sup>. To the best of his knowledge this has never happened. The big question is how long will towns go along with increased school budgets when enrollments are declining. After much discussion the consensus was that a meeting should be called to which Finance Committees, Selectmen, and School Committee members from all of the member towns are invited. Mid June was selected as a possible time.

- **Gold Cane** – The Town Clerk would like to present the gold cane to Ellen Newcomb who turns 100 on June 1<sup>st</sup>.
- **Planning Board's request for comments** re: North Main Street re-zoning - Mr. Kubiak said although he hasn't been following this issue closely, it is his impression that there is considerable opposition to the proposed change. The board members had no strong opinions or anything new to add to the proposed changes. They would want to do what's right for the town.
- **Request for Comments of Governance Process** – Ms. Clarke presented a list that is being circulated seeking input with regard to town management. She identified some items as of more immediate concern due to planned retirements of the Town Administrator and the Town Clerk/Treasurer/Collector: 1) financial administration, 2) physical office structure, 3) policy questions, i.e. defining the roles of the BOS and the Town Administrator, 4) procedure for hiring an administrator. Mr. Kubiak lobbied for hiring an interim administrator.

Mr. Gilmore suggested that a committee of financial people look into financial management. He thought the structure will be affected by the people we hire. He talked about whether department heads should report directly to the BOS or through the TA functioning as a chief operating officer (CEO) who would report to the BOS.

Mr. Kubiak said the town has a perfectly good job description. He further explained that no single selectman has the statutory authority to make decisions; decisions have to be made by the whole board. He went on to identify activities that had occurred in town because of his expertise and knowledge of who to contact to get things moving. He gave as examples progress with the railroad and the street scape project. It was acknowledged that the Town Administrator is the primary contact with people out of town.

The discussion could have continued longer, however, Ms. Clarke had to leave. As the meeting was drawing to a close she suggested that they all take a look at the existing job description and note any items that might need to be amended, so that at the next meeting they could discuss it together.

A motion was made by Ms. Clarke, seconded by Mr. Gilmore, and voted to adjourn.

Respectfully submitted,  
Priscilla Phelps