

**Board of Selectmen Minutes
Meeting - October 9, 2013**

Present: Selectmen – Carolyn Shores Ness, David Wolfram Absent: Mark Gilmore
Interim Town Administrator – Wendy Foxmyn

The meeting was called to order at 6:30 pm at Deerfield Town Hall, 8 Conway Street.

Hearings/Appearances before the Board:

- 6:30 PM – **Library** Present: Sara Woodbury, Tilton Library Director
Ms. Woodbury reported the Trustees have been considering new ways to make people aware of the services available at the library. She described a popular program called; “One Thousand Books Before Kindergarten” Persons with a library card can download books from the library on their e-book devices. Books can be reserved or ordered by going to the library website (Tiltonlibrary.org). The Trustees have applied for a federally funded planning and design grant for a needs assessment.
- 7:00 PM – Public Hearing on Board of Health **Tobacco Regulations**
Present – Mary Kersell, coordinator, Franklin-Hampshire Substance and Tobacco Prevention Partnership; Cheryl Sbarro, Attorney for the Massachusetts Association of Boards of Health

The Board of Selectmen, acting as the Board of Health, opened the hearing with a reading of the Hearing notice to discuss three initiatives to: restrict the sale of tobacco products, cap the number of Vendor permits, and prohibit smoking in public areas. Ms. Kersell and Ms. Sbarra were introduced. Michele Komosa from Franklin-Hampshire Tobacco-free partnership joined the group. Attorney Sbarra discussed the new provisions of the proposed policy.

The manager of the convenience store on Conway Rd spoke of concerns about making the sale of tobacco products to adults more difficult. He was especially concerned about the packaging requirements. He said sale of tobacco products has dropped a great deal. There was discussion of Mr. Gilmore’s request that cigar packaging be at market price, not less than \$5.00 per package.

A motion was made by Ms. Ness, seconded by Mr. Wolfram, and unanimously voted to close the public hearing. **A motion was then made by Ms. Ness, seconded by Mr. Wolfram, and unanimously voted, to accept the Tobacco regulations, as proposed.**

There was further discussion about when the new tobacco regulation policy would become effective. Ms. Ness was anxious for it to be as soon as possible. Mr. Wolfram felt vendors needed time to sell down inventory. Attorney Sbarra suggested allowing some time to consult Town Counsel. **A motion was made by Ms. Ness, seconded by Mr. Wolfram, and voted, that the effective date for enforcement of a smoke-free workplace be November 1, 2013 and the packaging provisions on January 1, 2014.** The vendor permit fee to sell tobacco products will remain at \$100.00, although this fee might be reviewed. [permits are renewable prior to January 1, 2014.]

- **FCAT**– Doug Finn, General Manager
Mr. Finn presented a quarterly profit and loss statement which shows the station operating in the black. He announced a number of accomplishments and programs including: a new training program to begin on November 21st to teach basic camera work, free to FCAT members. There has been a technology upgrade permitting more work to be done in high definition format. Space is a problem which he is working on. He mentioned the possibility of a production console being located in the meeting area and a grant for a Citizen Journalism Project to begin after the first of

the year. A scheduling coordinator has been hired. The cable advisory committee will be meeting more frequently as the cable contract renewal process progresses.

- **Green Energy Committee** – MA Swedlund, Kristin Bakker
Ms. Swedlund gave a brief presentation of the Town’s streetlight history. The project is at the phase where lumen reductions and midnight shut-offs should take place. WMECO protocol for midnight shut-offs requires a letter from the Board of Selectmen specifying that the Board is aware of, understands, and approves the plan. **Ms. Ness made a motion, seconded by Mr. Wolfram, and unanimously voted, to sign the letter dated October 9, 2013.** Ms. Swedlund said once this letter has been received by WMECO, a second letter releasing them (WMECO) from liability for the midnight shut-offs will be prepared.

To determine how the Town has reduced energy consumption, Ms. Swedlund said that the state has a program to calculate the energy use of the Town utilizing data collected.

A planned energy saving project to make changes to the north side of town hall will not happen as there is a structural problem the cost of which will exceed the available fund. So that project will not happen as a green community project. Another future project, related to replacement of the elementary school roof was also discussed.

Minutes: A motion was made by Ms. Ness, seconded by Mr. Wolfram, and voted, to amend the minutes of September 25th, to say “Board of Selectmen acting as Board of Health...”

Public Comments: None

Selectmen’s Comments/ Announcements:

- 1.) Mr. Wolfram commented on an article that appeared in the newspaper regarding a marijuana dispensary. He said that before the BOS makes a decision it needs to have all available information. The burden is on the Town to find a way to cover costs incurred by it, possibly through collection of fees. This needs to be investigated before moving forward.
- 2.) Ms. Ness announced that there will be a Special Town Meeting on October 28, 2013 at 7:00 pm. There is a large agenda of interest to many people. The meeting will be held at Frontier Regional in the auditorium. The Moderator has requested the meeting to be scheduled for two nights – October 28 & 30. Both evenings will begin at 7:00 pm.

Board of Health Comments/Announcements:

- 1.) There will be a flu clinic October 20, 2013 at Yankee Candle Corporate Headquarters, 10:00 am to 1:00 pm.
- 2.) There has been no killing frost. Ticks and mosquitoes are still very active.
- 3.) Mr. Wolfram is interested in doing some research on Title V septic systems to see what can be done to provide more people with access to the Town’s sewer plants.

Discussion/Decision Items:

- **STM – October 28, 2013** – There are 21 articles on the warrant. Since a large turn-out is anticipated, the plan is to hold the meeting at Frontier Regional in the auditorium, possibly taking as much as two evenings to cover. Although the Planning Board will not support it, the Board has chosen to put the Pevere zoning request on the warrant. **A motion was made by Ms. Ness, seconded by Mr. Wolfram, and voted, to sign the warrant as presented.**

- **FRCOG request** – The Board was asked to respond to a request from FRCOG relating to a change in the retirement system. **A motion was made by Ms. Ness, seconded by Mr. Wolfram, and voted, to authorize Mr. Gilmore to sign a letter to state legislators requesting that current town employees be included in the state retirement system.** This change would not affect persons already retired.
- **Open positions** – a Franklin Regional Housing Committee representative, ZBA (one full member and 1 associate), several Conservation Commission members. Ms. Foxmyn reported she is still accepting applications for the Accountant's position. There seems to be a state-wide shortage of qualified persons. She plans to begin the search for a Town Clerk/ Treasurer/ Collector soon. The search for a Town Administrator will not begin until a report from DOR has been received and the Board has had a chance to review it. She is hopeful that can happen in November.

Executive Session – A motion was made by Ms. Ness to go into Executive Session to discuss strategy with respect to collective bargaining, as an open meeting may have a detrimental effect on the Town's bargaining position. Roll call vote: Ms. Ness – Y, Mr. Wolfram – Y. She announced the Board will reconvene in Open Session.

The Board left the table, held a brief executive session, and then returned to continue the meeting.

Ms. Ness made a motion to accept the Memorandum of Agreement #3 between Town of Deerfield and Police Union Local 981 Mass Coalition of Police IUPA/AFL/CIO police officers unit – July 1, 2013 to June 30, 2016. Mr. Wolfram seconded, the vote in favor was unanimous.

Other items discussed: There is a requirement in the bylaws, that to change a bylaw a legal ad must appear in the paper. Ms. Foxmyn said It is somewhat archaic and could be removed, an action that would require a town meeting vote. It might be a good idea to appoint a committee to review all of the bylaws.

The suggestion has been made that a committee be convened to assess the town owned lands and buildings. Building issues seem to be cropping up all the time. It might be necessary to hire an engineer to assess the condition of all town buildings.

The meeting adjourned with the signing of the warrant.

Respectfully submitted,
Priscilla Phelps