

# Deerfield Board of Selectmen

---

*April 22, 2015*

A regular meeting of the Deerfield Board of Selectmen was posted for 5 PM, April 22, 2015, at Deerfield Town Hall, 8 Conway Street, South Deerfield, MA.

*PRESENT: Wolfram, Ness, Gilmore; also Kayce Warren, Town Administrator*

The meeting was called to order at 5:37 PM.

## **Budget Discussion**

The board engaged in discussions related to South County EMS Budget request. There was some discussion as to what Whately and Sunderland would be considering for funding levels.

Ongoing discussion about insurance costs related to South County EMS.

The board agreed to a proposed fund level of \$397,999, an increase over FY2015 of \$10,000, but a reduction of SCEMS of \$424,860.

The board agreed to request an administrative assessment to SCEMS of \$45,618.

There were additional reviews to budgets. Some discussion was had in regard to the Assessors Expense account. Additional discussion in related to continuously increasing costs and budget requests.

It was MOVED by Gilmore, SECONDED by Wolfram

*To approve the FY2016 Budget, funded at a level of \$14,338,864*

VOTED: 3, 0, 0.

## **Review of Minutes**

It was MOVED by Wolfram, SECONDED by Gilmore

*To approve the minutes of April 1, and April 8*

VOTED: 3, 0, 0.

## **Selectmen's Announcements**

Ms. Ness reminded the viewers to sign up for Code Red. Ms. Ness also reminded viewers also to be aware of ticks, and to check for ticks after outdoor activity.

## Public Hearing: Primo's Pizzeria Liquor License Violation

Ms. Ness opened the public hearing at 6:36 PM. There was no representative from Primo's Pizzeria present.

There was some discussion about the nature and gravity of the violation. Ms. Warren reviewed the possible actions that the board could take.

It was MOVED by Ness, SECONDED by Wolfram

*To direct the Town Administrator to send a letter of notice of the violation to the license holder, and request proof that their servers have undergone TIPS training, and further to determine why the owner / manager was not present.*

The board also requested that any future communications in regard to a public hearing be sent via certified mail.

VOTED: 3, 0, 0.

It was MOVED by Ness, SECONDED by Gilmore,

*To close the public hearing.*

VOTED: 3, 0, 0.

The public hearing was closed at 6:55 PM.

## Deerfield River Portage

Kate Clayton-Jones, representing Deerfield River Portage, addressed the board.

Ms. Ness stated her issues regarding the business, including town's liability, the safety of the business' clients, and other concerns. An opinion from Town's counsel was summarized, stating that the business as proposed violates town zoning regulations; and therefore could not be granted a permit.

Ms. Clayton-Jones expressed concerns with this opinion, and felt that Deerfield River Portage is being singled out, among other companies.

*Clayton-Jones: Will you be issuing 'cease and desist' orders to others who drop off and pick up on the river at that location?*

*Ness: Yes.*

There was further discussion about the matter.

*Clayton-Jones: I respect the opinion that you've been given, and understand that your hands are tied.*

Ms. Ness stated her appreciation for the work that Ms. Clayton-Jones has done to improve the relations with the town.

*Clayton Jones: If we were to do this for free, that would be OK?*

*Ness: No, since it's still a business venture.*

Ms. Clayton-Jones stated

*"You have effectively just put us out of business."*

Ms. Ness apologized on behalf of the town, but stated that there was no choice in the matter.

*Clayton-Jones: "Is the town in the business of running businesses?"*

*Warren: "The town is in the business of enforcing its bylaws."*

Mr. Gilmore asked if there was some 'workaround' that would allow the business to continue, while limiting the liability of the town. Ms. Ness said that she would inquire with Town's counsel.

Ms. Clayton-Jones suggested signage stating a prohibition of commercial activities on the river, so that other commercial ventures would be warned off.

Ms. Ness stated that the matter would be referred to counsel, and if there are any further developments, Ms. Clayton Jones would be notified.

## **Meeting with Finance Committee (7:22 PM)**

Present: Olmstead, Korpita, Healey.

Ms. Ness offered the floor to Skip Olmstead (Chair, Finance Committee).

Mr. Olmstead stated that one area of concern is related to the income resulting from the administrative cost capture from SCEMS.

Mr. Olmstead stated that the other concern, and an area of disagreement between the Finance Committee's recommendation and the Board of Selectmen's request, was the amount funded to the South County EMS.

*Ms. Warren: Whately's SCEMS appropriation is based on a 5% increase to the FY2015 funding level.*

There was further discussion on the SCEMS budget, specifically on the disparity between the BOS and FinComm recommendations.

Gilmore discussed the budget process, the goals of the SCEMS Board of Oversight, and the impetus behind the FY16 budget.

Korpita stated that it seems that the last '.5%' of effectiveness seems to be coming at too high of a cost.

Gilmore said that a backup ambulance service was needed when similar services in other towns were less capable of handling their call volumes. Those demands have lessened, but there are still unknowns related to the service.

*Wolfram: This is a new service that has just started. This is not the time to make drastic cuts to the budget, based on short history.*

*Korpita: Given time, this will become a \$1.2M enterprise.*

There was discussion about how the Finance Committee arrived at their recommended funding level.

*Olmstead: "The Finance Committee examined revenues as spent through April 1, and used those expenditure records for analysis. It is believed by the committee that SCEMS will have at least \$500,000 in unspent funds by the end of the year. The Finance Committee wants SCEMS to use surplus revenue from FY2015 to fund its operations in FY2016."*

*Gilmore: "If you want to jeopardize the ambulance service, you can make your case for reduced funding on Town Meeting floor."*

There was further discussion on how much surplus revenue might remain at the end of the year, and the differences of opinion on that matter.

*Healey: "Point of clarification – NO one wants to jeopardize the ambulance service. We've tried to look at the numbers, and make hard choices based on those numbers."*

Korpita stated that, given that this is a startup, the numbers are in flux. His concern is that, in spite of the fact that the service is doing a good job at its current level.

*Korpita: "Why should the department be funded at a higher level, when it is doing the job at a current level of funding?"*

Gilmore stated that cutting the budget back to the level recommended by the Finance Committee would require significant changes to the service.

Korpita replied that Town Meeting will have that choice to make.

Atty. Peter James broke in, and inquired as to how this meeting will play out on Town Meeting floor, and the disparities between recommendations.

*Gilmore: "At the end of the fiscal year, the amount of excess monies from the Fiscal Year One will be determined. In the second year, the use of those excess monies will be determined."*

*James: "That process may 'win'. What must be expressed at Town Meeting is that there will be a financial excess of some amount. Then, determination of what is to be done can be delineated, to provide Town Meeting with a clear choice as to what might happen."*

*Jeff Upton: "Tom Fydenkevez stated that there would not be a 'slush fund' created with any excess. Town Meeting voted to maintain two ambulances, not three. Clarity at Town Meeting is critical."*

*Gilmore: "It's not acceptable that we are that far out of touch as to where costs are."*

There was further discussion about the funding of the SCEMS. Ms. Ness asked to confine the conversation about how any excess funds in FY2015 might be used, and asked for a conversation involving the entire Board of Oversight, and the Director.

There was some discussion about specific line-items in the SCEMS budget, and the accuracy or flexibility of those specific items.

Mr. Olmstead provided a report from the Town Accountant, showing SCEMS expenditures as of March 31, 2015. Copies were distributed. The expense sheet showed \$741,000 unexpended.

There was further discussion about actual expenses, and predictions as to end-of-year balances.

*James: "You're going to have the unenviable task of two sides to the issue, and two pieces of information that you can't do anything about it. Up to this point, all of the towns have gone along with this. You've got tremendous good will – don't screw it up."*

Question: Can this be put off until a special meeting in June? Answer: that might be a good strategy.

*Gilmore: "The Board of Oversight will have several concerns – Future budgets, housing for the service, etc. – and will continue to be concerned with the larger issues past June."*

*Wolfram: "The FY16 process assumed some overage of funding in FY15, and uncertainty in FY16, so it would be best to allow for some more time to let things 'settle in'."*

Korpita spoke about his expectation as to an appropriate level of service to be provided by an ambulance service.

*Gilmore: There hasn't been any willy-nilly spending of money in this process.*

*James: No one is saying that.*

Korpita suggested that his point was in regard to the timing of any expansion of service, if it is to happen.

*Wolfram: "The Board of Oversight has stated that excess from FY2015 would be used to reduce assessments for FY2017. The issue will be clearer if the question is pushed to June 17."*

*Healey: "Agreed."*

Ness expressed concerns about the number of students of employees of Deerfield Academy attending Deerfield Public Schools. Asked about the potential of forming a committee to pursue some contribution to the town, based on student attendance.

*James: "I still have the sores from the last time around..."*

Further:

*James: "There needs to be two sides to that discussion. The largest part of the issue is to figure out the initial structure, and to insure the conversation is level and fair minded."*

*Upton: "School budgets are running at about \$9M of a \$14M budget – about \$5M is left for all other Town functions."*

*Ness: Are we agreeing to not take action on SCEMS article?*

*James: That's my understanding.*

Question: Article 6? Answer: no action.

Question: Article 24? Answer: no action.

Question: Article 33? Answer: no action.

There was further discussion on various concerns related to the Town Warrant, the proposed FY2016 Budget, and other concerns.

Mr. Olmstead stated that a budget training session is planned for August, conducted by Terry Williams (Mass DOR).

The Finance Committee members adjourned at about 9:25 PM.

### **Classification / Compensation Plan**

It was MOVED by Ness, SECONDED by Wolfram

*To recommend to Town Meeting no action on Classification / Compensation plan article.*

VOTED: 3, 0, 0.

### **Transfers**

Ms. Warren requested three transfers of monies from Reserve:

#### **Contracted Services - \$12,000**

It was MOVED by Gilmore, SECONDED by Wolfram,

*To approved a transfer from Reserves to Contracted Services in the amount of \$12,000.*

VOTED: 3, 0, 0.

#### **General Insurance - \$9,900**

It was MOVED by Ness, SECONDED by Wolfram,

*To approved a transfer from Reserves to General Insurance in the amount of \$9,900.*

VOTED: 3, 0, 0.

### **Finance Committee - \$147**

It was MOVED by Gilmore, SECONDED by Wolfram,

*To approved a transfer from Reserves to Contracted Services in the amount of \$12,000.*

VOTED: 3, 0, 0.

### **Deerfield Academy – Cabinetry “Thank You Letter”**

It was MOVED by Gilmore, SECONDED by Wolfram

*To authorize Ms. Ness to sign a letter of appreciation to Deerfield Academy for the donation of the Archeological Display Cabinet.*

VOTED: 3, 0, 0.

### **Western Mass EMS**

Ms. Ness expressed her concern about the removal of about \$200,000 from the state line-item for Emergency Medical Services. The Selectmen requested that Town Administrator advise Town Police, Fire, EMS and Board of Selectmen to write a letter in support of restoration of these funds.

It was MOVED by Ness, SECONDED by Gilmore

*To foster and encourage support for line item #4510-0790 – Emergency Medical Services - in the State Budget.*

VOTED: 3, 0, 0.

### **Sewer Connection Rates**

There was some review of the matter of sewer connection rates.

It was MOVED by Ness, SECONDED by Wolfram

*To establish a rate schedule based on calculations of use, as recommended by Mr. Scarborough.*

VOTED: 3, 0, 0.

### **Recognition of In-Kind Donations**

Ms. Warren recommended the recognition of in-kind donations, as well as direct cash donations, at Town Meeting.

The Board generally agreed with recognition of all donations to the town, and emphasized the importance of accuracy in the amount of donation cited.

## Resignation of Ed Wise

It was MOVED by Ness, SECONDED by Gilmore

*To accept with regret the resignation of Ed Wise from the Zoning Board of Appeals.*

VOTED: 3, 0, 0.

## Upcoming Meetings

- April 27, 6:00 PM (prior to Town Meeting)
- April 29, 6:00 PM (potential – prior to Town Meeting)

## Adjourn

It was MOVED by Gilmore, SECONDED by Wolfram

*To adjourn with the signing of the Warrant.*

VOTED: 3, 0, 0.

The board adjourned at 9:45 PM.

Respectfully submitted,

Douglas C. Finn