

# Board of Selectmen

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*July 15, 2015*

A regular meeting of the Deerfield Board of Selectmen was held on July 15, 2015, at Town Offices, 8 Conway Street, South Deerfield, Mass.

Present: Carolyn Shores Ness (Chair), David Wolfram, Mark Gilmore

The meeting was called to order at 6:04 PM.

## Hearings / Appearances before the Board

### ERM – Pan Am Railways Environmental Update

M A Swedland (Deerfield Resident), Lynn Rose (Hazardous Mitigation Officer for Town of Deerfield), Tim Mosher (Pan Am Railways), and Lyndsey Colburn (Project Manager for ERM) presented an update on the Active Remediation portion of the Pan Am Remediation as needed.

The presentation included a summary document (“Revised Phase II/III/IV Addendum and Phase IV Completion Statement”, included herein by reference), as well as a PowerPoint slideshow that highlighted basic facts and figures, illustrated various specific areas of the focus area, as well as the timeline to date. The efforts of ERM to remediate various spills throughout the site were reviewed, as well as the groundwater monitoring efforts and results to date.

Some petroleum was found in the aquifer monitoring wells; various testing was done, and limited recurrences have been monitored since.

Discussion related to various areas of focus, including the current readings at various locations; reductions in harmful materials have been monitored, indicated that the remediation efforts have been successful so far.

There was some discussion related to delineation of specific sources. Based on results of testing and monitoring, indications are that the ‘plume’ is shrinking, and that the source of the material is reduced or eliminated.

Monitoring will continue for at least two years, or until the reading fall below the applicable standard.

Tim Mosher discussed the status of the monitoring and remediation from the viewpoint of Pan Am Railways. Mr. Mosher also discussed the efforts that the railroad operators have made in relation to raising awareness about trash disposal, spill remediation, and awareness of positive and responsible environmental practices.

Some non-related questions were fielded, related to the proposed high-capacity gas pipeline proposed by Kinder Morgan, and the potential depth of the pipe, as well as the possibility of testing or monitoring related to it.

Lyn Rose reported that the DEP will no longer oversee the site, and have delegated oversight to the town; Lyn encouraged continued monitoring of the site, and work related to monitoring.

Future activities include continued monitoring, and further groundwater injections so long as they are effective, and pursuing deed restrictions related to future use of the property.

### **Dan Biggs, Julie Chalfant – DES Community Playground Project (6:55 PM)**

Kevin Scarborough, Darren Grey (DES Parent), Jeanne Heil (DES Principal), Julie Chalfant (DES), and Dan Biggs (Weston and Sampson Engineer).

Ms. Chalfant discussed the history of the project, as well as the timeline for the construction process. Ms. Chalfant also expressed the need for volunteers for the project, as well as the interest in speaking with other schools / groups that have undertaken similar projects.

As school starts on August 27, the build dates of August 14 through 16 should allow for enough time to finalize the project.

Dan Biggs discussed the details of the build, and the intention behind the design.

Mr. Biggs discussed the community partners involved in the work, including a significant donation of time and services provided by Deerfield Academy. Mr. Biggs further discussed the details of the play structures, what features would be kept and reused, and what would be removed or rebuilt. Mr. Biggs also reviewed the design process to date, and expectations for the future.

Demolition is expected to start the week of the July 27, with a preconstruction meeting in Early August. Main volunteer construction will be August 14 through 16, and final work after main construction to happen between August 16 and 27<sup>th</sup>.

Some Q&A related to safety on site, as well as liability, were raised.

The board thanked the presenters for their comments.

### **Civil War Monument - Katherine McKay**

Ms. Katherine McKay, Director of Gift Planning at the Deerfield Academy Alumni Relations Office, offered corrections to the memo provided by John Nove.

DA has NOT agreed to hire the contractor to do the statue removal and storage yet. That has yet to be determined.

There was some conversation related to the monument, its history, some research related to the monument conducted by D.A. students and Alumni. Further conversations would help to refine the process.

### **Marti Barrett, Patti Cavanaugh – MSBA Discussion and Agreement**

Ken Cuddeback, Chair of Deerfield School Committee – Jeanne Heil DES Elementary School Principal, Marti Barrett (School Superintendent), and Patti Cavanaugh (Financial Director for FRU38 School District), to speak in relation to the MSBA Agreement related to the DES School roof.

Ms. Cavanaugh spoke about various topics related to the process:

- A deadline of August 3, 2015 for the authorization of the first release of funds necessary for the project.
- The fiscal limits related to the project, and funds available for the project.

- September 4 as a routine capital maintenance and upkeep plan (Bob Lesko will be working on that).

Ms. Cavanaugh walked the board through the MSBA Agreement, and the specific requirements as determined by the MSBA.

Ness requested that the schools forward information on the maintenance schedule to Kevin Scarborough for his edification.

*Cavanaugh: A Waste / Fraud Detection program is part of the requirement, and Mr. Scarborough may be of assistance in developing that.*

Reiteration that the project will result in a roof that will be able to hold both snow-load, and the load of a solar electricity array.

It was MOVED by Wolfram, SECONDED by Gilmore

*To authorize approval of the MSBA Agreement, and authorize signature by the Chair.*

VOTED: 3, 0, 0.

There was further discussion related to the appropriation / release of that money.

Ken Cuddeback spoke about the request to setup a gift account for the roof project.

There will be ongoing discussions related to the project.

## Discussion / Decision Items

### Transfer Requests

The board considered several transfer requests.

It was MOVED by Wolfram, SECONDED by Gilmore

*To approve the transfer requests as presented, and as approved by the Finance Committee.*

There was some discussion related to LED lighting for street lights. It was suggested that the town consider LED lighting for some of its streets.

VOTED: 3, 0, 0.

### Contracts

#### Regional County Kennel Agreement

The board considered the Franklin County Regional Kennel Agreement.

It was MOVED by Wolfram, SECONDED by Gilmore

*To approve the Franklin County Regional Kennel Agreement, authorize payment, and authorize the chair to sign.*

VOTED: 3, 0, 0.

#### **FRCOG Planning / Technical Assistance contract**

The board considered a planning and technical assistance contract, allowing the Planning Board to make use of FRCOG services.

It was MOVED by Gilmore, SECONDED by Wolfram

*To approve the Planning and Technical Assistance Contract, and authorize the chair to sign.*

VOTED: 3, 0, 0.

#### **Gewanter – Release of 61(a) “Right of First Refusal”**

The board considered a request from Theodore Gewanter, requesting the board to waive right of first refusal, and further waive the 120 waiting period.

Due to inconsistencies in lot identification, the approval of the request was postponed to the next regular meeting (7/22/2015).

#### **FCSWMD “Sludge Hauling” Contract**

The board considered approval of a sludge-hauling contract.

IT was MOVED by Wolfram, SECONDED by Gilmore

*To approve the MOU as presented.*

VOTED: 3, 0, 0.

#### **Equipment Rental Agreement – Kocot Inc.**

The board reviewed the contract with H. C. Kocot, Inc., as equipment vendor for the town. (The board previously voted to award the RFP (FY2016-001)

The board had questions related to the form of the contract.

It was MOVED by Wolfram, SECONDED by Ness

*To Authorize and sign the Equipment Rental Contract.*

VOTED: 2, 0, 1

The board identified its concerns related to the form of the contract, and discussed the process by which the contract is presented.

#### **Appointments**

It was MOVED by Wolfram, SECONDED by Gilmore

*To appoint Joanne Carney to the Upper Pioneer Valley Veterans Services District*

VOTED: 3, 0, 0.

It was MOVED by Gilmore, SECONDED by Wolfram

*To appoint Diane Baronas and Henrietta Kocot as School Crossing Guards*

VOTED: 3, 0, 0.

It was MOVED by Wolfram, SECONDED by Gilmore

*To appoint James Slowinski and William Erman as Alternate Electrical Inspectors.*

VOTED: 3, 0, 0.

It was MOVED by Wolfram, SECONDED by Gilmore

*To appoint Matthew Sherman, Mark Wilkins and Dane Yobst as Special Police Officers and Assistant Dog Officers, in accordance with the terms requested by Chief of Police John Paciorek.*

VOTED: 3, 0, 0.

#### **Letter of support for General Pierce Bridge**

It was MOVED by Gilmore, SECONDED by Wolfram

*To approve the letter, and authorize the chair to sign.*

VOTED: 3, 0, 0.

#### **Additions to Cemetery Rules**

A memo outlining requested changes to the Cemetery Rules were considered.

It was MOVED by Wolfram, SECONDED by Gilmore

*To approve the changes outlined.*

VOTED: 3, 0, 0.

#### **FCAT Budget**

The FCAT Budget was presented for second consideration.

It was MOVED by Gilmore, SECONDED by Wolfram

*To approve the budget as presented.*

VOTED: 3, 0, 0.

#### **HUD Grant related to “Sandy” mitigation**

Ms. Ness provided an update to the HUD Grant process, and options for application for grant funds.

Ms. Ness asked if the board was willing to move forward with discussion related to grant research and application for grant money for WWTP plant upgrades.

The discussion spoke about the potential use of HUD funds. There was some discussion about what the funds could be used for, and potential refurbishment of the WWTP Plants.

#### **Letter of support for the Greenfield Parking Garage**

A letter of support for Greenfield’s proposed parking garage was considered.

It was MOVED by Gilmore, SECONDED by Wolfram

*To approve the letters of support to Erica Kreuter and Larry Field in support of Greenfield’s proposed parking garage.*

VOTED: 3, 0, 0.

## Town Administrator's Report

The Town Administrator presented appointment request for the FRCOG representative for Deerfield.

It was MOVED by Wolfram, SECONDED by Gilmore

*To appoint Carolyn Shores Ness as Representative to the Franklin Regional Council of Governments Council, and David Wolfram as an alternate.*

VOTED: 3, 0, 0.

Ms. Warren provided a draft agenda for next week's meeting. One agenda item is the Weston and Sampson landfill monitoring well contract. The board requested that Weston and Sampson provide a point of contact for this project.

Deerfield Fire District had requested support in their efforts to improve access to the river, and to provide EPO oversight.

The board agreed to authorize the draft of a letter to the Mass DOT, to request improvement of Stillwater Road near the bridge. Town Administrator's office will draft a letter to Mass DOT and Mass DCR in relation to the boards concerns.

Ms. Warren provided an update on the Tilton Library project, including posting of a notice for OPM Services, and a walk-through of the library on July 30.

Ms. Warren provided an update related to the SDWWTP Headworks project. Tony DeSimone from Weston and Sampson would like to discuss the headworks project and the possibility of providing a method of moving forward on the project. The board requested the discussion to be scheduled for the first meeting in August.

Ms. Warren made note of an e-mail received by Jeff Upton in relation to concerns surrounding South County EMS, the development of the building at 4 Sandy Lane, Whately by the town of Whately, a meeting related to the topic held at the location at 1 PM, July 14, 2015, and the ongoing conversation in relation to the possible relocation of SCEMS to the location.

Mr. Gilmore spoke about the responses to the e-mail (there were many), since the Meeting on July 14. He stated that the Finance Committee and CIPC would be involved in the conversation moving forward. He further stated that the original e-mail posed questions for which there were no answers at this point.

There was further discussion related to the potential space delineation, and how that would affect SCEMS. The cost of renovations was also considered.

Ms. Warren reminded the board of a meeting on July 22, 5 PM, and a 6 PM with Sunderland and Whately, and the consultant in relation to regional police operations; she further reminded the board of the meeting on July 29, 2015, 7 PM, in Greenfield, related to the 'scoping' process for the Kinder Morgan NED Pipeline.

Related to the NED Pipeline, Gilmore asked:

*If there will be a pumping station in the area, will there be a taxation schedule to support regional economic development? Further, will there be low-pressure drops to support natural*

*gas service in this region? Are the pumping stations automated? Or manned? Are there any full-time people there? Are there alarm stations?*

Ms. Warren reinforced that these questions have been asked by others in town, and should receive answers.

Ms. Ness expressed her concerns related to evacuation planning, particularly in the case of a major event related to the NED pipeline that might necessitate it.

## Executive Session

The Chair requested an executive session to discuss the sale of property to New England Natural Bakers, and to discuss a prospective hire.

It was MOVED by Wolfram SECONDED by Gilmore

*That Board of Selectmen enter into executive session, per MGL Chapter 30A, Sec 21(a)(6) – for the purpose of considering the purchase, exchange, lease or value of real property, as an open meeting may have a detrimental effect on the negotiating position of the Town, and further*

*That the board of Selectmen enter into executive session per MGL Chapter 30A, Sec 21(a)(2) – for the purpose of conducting strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, as an open meeting may have a detrimental effect on the negotiating position of the Town, and further*

*That the board return to open session only to sign the payroll and vendor warrants, and to adjourn.*

VOTED: Wolfram: Yes; Ness: Yes; Gilmore: Yes.

Board entered into Executive Session at 9:21 PM.

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The Board left Executive Session at 12:05 AM, and immediately adjourned.

Respectfully submitted,

Douglas C. Finn.