

Deerfield Board of Selectmen

August 12, 2015

A regular meeting of the Deerfield Board of Selectmen was held on July 22, 2015, at Town Offices, 8 Conway Street, South Deerfield, Mass.

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

A quorum was declared, and the board called to order at 6:00 PM

Ms. Ness welcomed the public, and presented brief comments related to the pipeline.

Public Comment Session

The board welcomed comments from the public related to the proposed natural gas pipeline.

Speakers:

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| 6:07:00 PM | Reba Jean Pichette – “I am the Lorax, I speak for the trees” |
| 6:10:00 PM | Wayne Turner – “this isn’t an LNG pipeline...” |
| 6:12:22 PM | Julie Cavacco – “...water is the bottom line...” |
| 6:14:40 PM | Ava Gibbs – “...request US Senators to oppose the pipeline...” |
| 6:20:10 PM | John Oldman – “...jobs information probably come from Kinder Morgan, and is likely dubious...” |
| 6:23:19 PM | Reenie Clancy – “...get your comments into the record...” |
| 6:27:00 PM | William Marapese, 16 Captain Lathrop – “...challenge any opinion that we have to have natural gas instead of oil...” |
| 6:28:20 PM | Meg Wooster, Keets Road – “...this situation is really pushing my buttons... I like my well where it is... Kinder Morgan’s proposed invasion of my neighborhood... My neighborhood is being sullied... worried about leakage, explosions, devaluation on property... they want to rape New England - what is it about our collective, emphatic ‘no’ do they not understand?” |
| 6:31:15 PM | Greg Franceschi, North Main Street – “...add my voice to the chorus... everyone I’ve met is against this; I haven’t met anyone who is for it...” |
| 6:33:20 PM | Tom Clark, Upper Road – “...thank you to the Selectmen for their work on this matter... seconded Ava Gibbs... send letters to Senators and Selectmen...” |

- 6:37:10 PM James Lochner, Stage Road – “...nothing new to add, but a thanks. We need to be ready for the next one...”
- 6:38:20 PM Tom Russell, Greenfield Road – “...pipeline is expected to be on his property... near archaeology sites... looked at the safety issues of the pipeline, and found a couple of really good studies... Kinder Morgan has a dismal record, including cover-ups, and other issues that have not gone through the courts... because Kinder Morgan has approached me, I must now disclose that to any potential buyers – as a result, I have not been able to sell my home...”
- 6:44:05 PM Lynn Rose, McLelland Farm Road – “...the pipeline is expected to go under the contaminated railyard site... if there is a pipeline underneath that has an incident, it destabilizes the areas of mitigation... it would be serious... this demonstrates a lapse in judgment... in addition, the proximity of the pipeline to an active quarry represents a further lapse of judgment...”
- 6:50:00 PM Phil Allard, Hillside Road - “...this is way too big; it’s orchestrated to be that way... the grand rip-off, and the big profit plan... they could not care less about you, and I, and this beautiful Deerfield valley that we all live in... Sam Lovejoy had this solution, but I don’t want to advocate that – we’d all be out there cutting cables...”
- 6:54:50 PM Rachel Hobbie, Hobbie Road – “...pipelines destroy things... I will likely choose to wreck my own credit rather than live in a house that I can not live in... I do not know what to do, or to whom to turn... I hereby request an immediate reduction in my assessment... I need a rebate in taxes paid retroactive to those maps being published... a sincere and valid reduction in my property value, unless NED does not come in...”
- 7:03:10 PM Margaret Cooley, Executive Director, Woolman Hill Retreat Center – “...Thanks to the Board... what will the environmental, aesthetic, and other impacts will the pipeline have? What precautions are being taken when co-locating an electric pipeline close to the electric transmission lines? How would construction blasting affect the existing electric lines? What recourse exists if Kinder Morgan does not comply with various standards? What recourse do we have if the water supply is affected? What about conservation of natural lands, with or without easements?”
- 7:10:10 Laurie Boosahda, North Main Street - “We hope to have more solar installed... I witnessed a car driving by ‘sniffing’ for gas leaks – how often does that happen? ...thanks for all the work you’re doing... leaks should be repaired before new gas capacity is explored...”
- 7:15:22 Peter Vincenzi, resident of Montague – “...oppose the construction of the pipeline on a federal, state and local level... the folks most directly impacted by the project have had the least say in the

matter... Massachusetts belongs to the people of the commonwealth..."

- 7:17:45 David Gilbert Keith, Deerfield Energy Resources Committee – "...the Energy Committee will be submitting a letter to the Board of Selectmen... Look at FERC's pending pipeline's proposals... It's about getting the gold away from the fields, and to the markets.... It's not about us..."
- 7:20:30 Bud Driver, Beaver Drive – "...we as property owners have rights... if they infringe on our rights, they can pay our taxes – period... If you don't want them on your property, don't sign the contract... Federal Government says – what's in the earth, and on the earth belongs to the state landowners... when you relinquish those rights, to allow them to take your personal property, I am against that... if you dig artifacts in Deerfield, the Historical Commission has to be involved..."
- 7:28:50 Reenie Clancy – "...second the motion to contact Federal Senators with their opinions..."
- 7:29:28 Bud Driver – "...under chapter 29, sec 27c, the state cannot take your stuff..."
- 7:33:20 John Oldman – "...we've got to get together, we have to get together.... If we don't talk to the senators, we might not lose, but somebody loses..."
- 7:34:35 Julie Cavacco – ...read from an article from UMass magazine (2015)...

Ness: Comments to the Board of Selectmen should be in by the 19th. The board will be asking for a delay in the process, and will be in contact with the state and federal legislators.

Ms. Ness closed the public hearing, and thanked the participants for their comment, and further asked for written comments to be submitted through e-mail.

There being no objection, the chair called a recess at 7:39 PM.

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The meeting was called back to order at 7:56 PM.

Discuss/Approve/Vote

EFSB Comment Letter

A draft version of a letter to the EFSB was presented to the board for review. There was some discussion.

It was MOVED by Wolfram, SECONDED by Gilmore,

To sign the letter to Stephen August, including Kinder Morgan Energy Partners as a recipient.

VOTED: 3, 0, 0.

“SCoop” Letter

The board considered a request from the Solar Cooperative, operating out of the “The Solar Store”. There was some discussion as to the nature of the request, the potential for an RFP for solar energy on the capped Landfill on Lee Road.

There was further discussion on the request, including some questions related to the nature of the request, and whether or not the board could positively act on the request.

Gilmore: “We’re going to stay engaged with this?”

Wolfram: “Not just us – the energy resources committee should be part of this.”

We are still waiting for DOER to respond to our request for a grant.

Ness: I want Beth Greenblatt to be ‘in the pipeline’ as a consultant, so that we can move forward as quickly as possible.

Warren: Our DOER grant request is for technical assistance.

Ness: We need a draft RFP for solar on the transfer station before the 26th.

It was MOVED by Wolfram, SECONDED by Gilmore

To send the draft letter to Clare Chang of the Solar Cooperative, and authorize the chair to sign.

VOTED: 3, 0, 0.

Appointment of Hearing Officer for Human Resources Investigations

Due to a recent Human Resources issue that requires an investigation, Ms. Warren requested that the board appoint both the Town Administrator and the Town Clerk as hearing officers.

There was some discussion as to the nature of specific complaints that would trigger an internal investigation.

Gilmore: So, the criminal investigation looks into the theft of money, and the HR investigation...

Warren: Looks into the employee’s part of the incident, their character, and their reputation as a public official.

The suggestion was made that causes for this type of investigation should be codified.

Wolfram: Whenever a manager has to discipline an employee for any reason, a third-party, non-supervisory person should be there to provide an impartial third voice in the decision process.

Wolfram: Regardless of the reason, no disciplinary action should take place as a 'one-on-one' situation. We as a board need to have a representative here, all the time, that can act on this.

It was MOVED by Ness, SECONDED by Wolfram,

To appoint Kayce Warren, and Barbara Hancock as Hearing Officers for the purpose of personnel investigations.

There was further discussion related to the motion. Mr. Gimore expressed concern that this was another cast of 'putting the cart before the horse', or acting in a reactionary way, instead of having a plan in place.

Ms. Warren stated that she would look for policies and procedures.

VOTED: 2, 0, 1

Reorganization of Board

Gilmore: Protocol is to turn the chairmanship of the board to the Board of Directors.

Ms. Ness resigned the chairmanship of the Board of Directors, and authorized the Town Administrator to conduct the nominations and voting for the chairmanship.

Ms. Ness Nominated Mr. Wolfram as chair, seconded by Gilmore.

VOTED: Wolfram: Yes; Ness: Yes; Gimore: Yes.

Motions for secretary were entertained:

Wolfram nominated Ness as secretary, seconded by Gimore.

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

It was MOVED by Wolfram, SECONDED by Gilmore,

To allow Carolyn Ness to serve as Chairman pro Temp for the remainder of the meeting.

VOTED: 3, 0, 0.

Town Administrator's Report

The Community Playground Build starts Friday, August 14, and goes through the weekend. Volunteers are still being accepted – call the school for more information.

Gilmore: please put me down for Friday volunteering.

A great deal of the work happens on Friday and Saturday, with final work completed on Sunday. Town Administrator will check in on Friday.

DHC / Civil War Monument

Ms. Warren spoke about the project, possibilities for various types of repairs for the civil war memorial's restoration. There was discussion about the possibility of

creating a fund to accept donations; or to determine where there are other funding sources available.

Franklin County Selectmen's Association

The board was reminded of the upcoming Franklin County Selectmen's Association on September 17, 2015.

Tag Sale Day

Town Administrator reminded the board of the annual 'tag sale day' in Deerfield, the first weekend in October, and Max Hartshorne's generous participation in it.

It was MOVED by Gilmore, SECONDED by Wolfram

To approve and endorse the event.

VOTED: 3, 0, 0.

Highway Department Job Posting

The Board considered a request to post an ad for the foreman / heavy equipment operator position. Gilmore requested deferral of action on the posting to the next meeting. There was some discussion about the position of foreman, as to whether there was need to fill the position, or whether the town should hire temporary or contract help to do the work instead.

The Town Administrator requested clarification about what types of information was being requested.

Wolfram: Do you want us to weigh the option between a full-time hire, and a contract hire?

Gilmore: That might be one option, yes.

Ness expressed concern about being down a person. Wolfram stated that he had no problem waiting a week. There was further discussion about the topic.

Warren: What do you want to see for information?

Gilmore: I need to talk to Kevin about it.

The request to put the request on the agenda for the meeting on the 26th. Wolfram requested that the Superintendent come to the meeting on the 26th, and offer progress on the highway building, including landscaping about the highway facility, and the progress of hiring of an employee for the WWTP.

Upcoming Meetings

August 26, 2015, 6:30 PM – Town Offices, South Deerfield

Adjourn

There being no further business, it was MOVED by Wolfram, SECONDED by Gilmore, To authorize signing of payroll and vendor warrants, upon completion, and at the convenience of the Board members, and then to adjourn.

The board was adjourned at 9:06 PM.

Respectfully submitted,

Douglas Finn
(Not the secretary of the board).