

Board of Selectmen

September 23, 2015

A regular meeting of the Deerfield Board of Selectmen was posted for 6:00 PM on September 23, 2015, at Town Offices, 8 Conway Street, South Deerfield, Massachusetts.

*Present: David Wolfram, Mark Gilmore, Carolyn Shores Ness
Also Present: Kayce Warren (Town Administrator)*

The meeting was called to order at 6:00 PM.

Minutes of previous meetings for review and approval

There were no minutes available for approval.

Public Comment

There was no public comment.

Selectmen's Comments / Announcements

It as MOVED by Carolyn Shores Ness, SECONDED by Mark Gilmore

To accept the resignations from the Energy Resources Committee as received from M A Swedlund and Kristan Bakker were accepted with great regret, and appreciation for their service.

VOTED: 3, 0, 0.

Two open seats were announced on the Energy Resources Committee, two seats on the Zoning Board of Appeals. Interested parties should contact the town offices with their interest.

Board of Health Comments

There will not be a drive-through flu clinic this year. Flu vaccinations will be available through the town at other locations.

Board of Selectmen's Comments

The board announced that there would be no award of the Auctioneer Services RFP at the meeting.

Executive Session:

It was MOVED by Ness, SECONDED by Wolfram

To enter into Executive Session as allowed by M.G.L. c.30A, §21(a)(1)(i – iv.) to consider discipline or dismissal, and/or to consider complaints and/or charges brought against a town employee and the individual chooses to meet with the Board of Selectmen in Executive Session. The Board of Selectmen shall hold the meeting in open session if the individual requests the session be conducted in open meeting.

ROLE CALL VOTE: Gilmore: AYE; Wolfram: AYE; Ness: AYE.

The board entered into executive session at 6:05 PM.

- - -

The board resumed open session at about 6:42 PM.

Hearings/Appearances before the Board

Tilton Library Needs Assessment Committee

The Committee met with the Board of Selectmen. The Committee presented a contract to the Board of Selectmen.

The library is seeking a construction grant to enable the hiring of an OPM. Dan Pallotta (P3) spoke about the process. A designer (Johnson Roberts) has been selected by the committee, after issuance of an RFP and review of submissions.

Mr. Pallotta spoke about the expected process moving forward. Other sites in town may be considered. All options will be considered, all interested parties will be invited to participate in the process.

Question: What was the original goal of the needs assessment process?

The committee visited libraries, surveyed the community, determined specific needs, and created a needs assessment plan. That design will be forwarded to the designer, and space consolidation / efficiencies will be explored.

The committee asked the Board of Selectmen to sign a contract for the designer. Once done, a feasibility study would be conducted, and an application for the construction grant would be completed. The town would be asked to approve the project at town meeting, and it was hoped that half of the project cost would be paid for by the Commonwealth. Based on the current space, and standard needs, confidence is high that the project would be approved for funding at the state level.

Question: do we have to take any money out of the budget at this time?

Answer: No. \$40,000 has been given to the committee by the Tilton Fund, and matched with \$20,000 by the 'Friends of the Tilton Library'.

It was MOVED by Ness, SECONDED by Gilmore

To approve the contract and sign.

VOTED: 3, 0, 0.

The committee was thanked for their work

Jim Cutler and Katy Eiseman, Massachusetts Pipeline Awareness Network

Jim Cutler and Katy Eiseman spoke to the board in regard to the NED Project as proposed by Kinder Morgan Partners.

Mr. Cutler spoke about the steps that may be taken by interested parties and municipalities. Ms. Eiseman spoke about the potential of towns to be granted 'intervener' status by FERC. Interveners become participants in a proceeding and have the right to request rehearing of Commission orders and seek relief of final agency actions in the U.S. Circuit Courts of Appeal.

Ms. Eiseman spoke about other ongoing matters to which the town should be paying attention.

The board asked questions and received answers about potential options for participation in a local 'coalition' of interested parties, as well as participating in the actions that the Pipeline Awareness Network is conducting.

The cost of obtaining 'intervener' status was considered.

There was additional discussion on the status of the natural gas 'moratorium', and its impact on local organizations, private agencies, municipalities, state entities, and local and regional economies.

Additionally, the board considered comments related to Berkshire Gas' 'moratorium' on new natural gas customers, and its impact on local residents and business.

The board heard discussion related to the expanding of the coalition beyond the borders of Massachusetts, and Mr. Cutler and Ms. Eiseman spoke briefly about the efforts underway in New Hampshire.

The similarities and differences between 'pipeline opposition' and 'pipeline mitigation' were considered.

Mr. Cutler iterated that the process that the towns would engage in would include mitigation of the project as a whole, if it were to be approved by FERC.

Question: Does the Pipeline Awareness Network expect to get communities from across the commonwealth to sign on?

Eiseman: That might be a long-term goal, but we're focusing on the Pioneer Valley now.

The next coalition meeting (a working session) will be held on September 29, 2015, but it is not expected to be open to the public.

Ava Gibbs (River Road) asked the Board to do whatever it could to stop the pipeline. Ms. Gibbs also asked the town to become an intervener in both the FERC

process, as well as the Mass DPU process. A number of others in the audience agreed with this request.

QUESTION: Wayne Turner (Deerfield) asked about the process of becoming an intervener – who decides?

Answer: If no one objects to intervention request in ten days (unlikely from a landowner or a municipality) than intervener status is granted. However, in any appeal, 'standing' may be decided.

Cost of intervener status? That may vary based on choice to hire a technical expert, legal cost, and number of towns participating in the coalition.

Individual resident role in the process was discussed, as well as other issues related to wetlands protection, survey of wetlands, and etc. A bill being filed by Rep. Stephen Kulik may change the way the DEP makes interventions in the process.

The process by which the Town of Deerfield may make use of, or benefit from participation in a coalition of towns was also discussed.

There was some discussion related to the efforts by the FRCOG to assist in this project, and the appropriation and expenditures for same.

The potential for an appropriation for 'pipeline activity' might be possible at a town meeting. The specific question of the ultimate goal of any activity related to the pipeline is one that needs to be answered.

Mr. Gilmore stated that one important goal was to clearly identify the goals of any effort to mitigate or oppose the NED project, prior to any town appropriation of funds.

Ms. Ness spoke about her efforts to date, and the growth of those efforts from simple meetings to the realization of a need for a coalition.

The possibility of a 'gift' account, to fund pipeline opposition efforts, was discussed.

The potential of calling an emergency town meeting to appropriate funds was discussed. The posting requirements for town meetings was reviewed. The possibility of transferring funds from the previous appropriation (to the FRCOG) to redirect to more aggressive efforts in opposition of the pipeline.

Finally, there was some discussion on ways to coordinate efforts related to communicating with FERC, Mass DPU, and the Deerfield group working to oppose the NED.

The Board thanked Mr. Cutler and Ms. Eiseman for their time.

Discussion/Decision Items

Discuss/Approve/Vote – Recommendation for hire of Certified Operator position

Kevin Scarborough, superintendent of public works, recommended appointment of Dennison Hunt to the position of Certified Operator for the WWTP Operations.

It was MOVED by Ness, SECONDED by Gilmore

To appoint Dennison Hunt as Certified Operator for the WWTP Operations, at a compensation of Grade 2, Step 6.

VOTED: 3, 0, 0.

Discuss/Approve/Vote – Execution of Interconnection Agreement with Eversource for ODWWTP Solar Installation

The full connection of the completed solar plant is complete, testing is complete, and the town is simply waiting for Eversource to complete the final installation. The interconnection agreement was presented to the Board for consideration and approval.

It was MOVED by Ness, SECONDED by Gilmore

To Approve and sign the Interconnection Agreement with Eversource.

VOTED: 3, 0, 0.

(Ms. Ness excused herself at 7:38 PM.)

Discuss/Approve/Vote – Traffic Loop at Elementary School

Mr. Scarborough spoke about the need for a 'traffic loop' to enable a safer traffic environment at Deerfield Elementary School. The loop would enable about 35 vehicles to exit the street, enabling safe delivery of students to the school in the morning, and safe pickup of students at end of day.

There was conversation related to discussion of the matter, causes for the traffic congestion, and whether the plan will actually remediate the problem.

(Ms. Ness rejoined the meeting at 7:41 PM.)

Causes for the congestion, and potential long-term solutions were discussed. The education and training of drivers delivering students was also emphasized.

Gilmore: "You're changing their dynamics, you're changing the way it works, and I don't see that we've invested in telling people what we really want them to do. We're letting bad attitudes be the driving force."

The timeline related to seasonal concerns as it applies to paving was also discussed. Repairs to Matthews Road are part of the ongoing road repairs that were discussed.

Swift approval of the project will determine the timeline.

The Town Administrator relayed comments from the School Superintendent, who is confident that communication to parents can help to ease the transition to the new traffic patterns.

Gilmore: "Safety is still a major concern."

Wolfram: "Why is this all of the sudden a crisis when it's been this way for ten years?"

The schedule of the train was discussed, as well as the impact of the early dismissal on Fridays. The need for a long-term plan for traffic management was also discussed.

It was MOVED by Ness, SECONDED by Gilmore

To support moving forward with the Traffic "loop" plan as presented.

Ms. Ness also suggested the need to promote and encourage bus ridership, which would alleviate some of the traffic difficulty.

VOTED: 3, 0, 0.

Mr. Scarborough also spoke about a concern related to transfer of a transfer-station sticker, in the case of a house sale, from the old owner to the new owner. The board generally agreed that such policy decisions were the purview of the Superintendent, and encouraged him to attend.

Mr. Scarborough also spoke about efforts to enforce rules related to transfer station stickers, and trash bags.

Mr. Scarborough advised that the test wells that were drilled at the old highway garage site have returned 'negative' results, which indicates no seepage or contamination on the site. By closing out the site early, the town should save some money, and would receive a 'clean' 21E form from the DEP.

Mr. Scarborough advised that tomorrow (September 24) was the last day to register for hazardous waste collection day throughout the county, and encouraged residents to register.

Mr. Scarborough requested agenda placement of Weston and Sampson in the future, in order to readdress the South Deerfield WWTP Headworks Upgrade proposal, and potential methods of funding the project.

There was discussion of costs related to the impact of 'flushables' on the sewer system, and the actual cost in time, equipment repair, and maintenance to the town.

Finally Mr. Scarborough talked about considerations related to tree removal and limbing services provided by the town, and residents' recent concerns related to tree work in Deerfield. The cost of expected tree-work in the town was also reviewed. The board encouraged continued tracking of tree work to be completed, the expected cost of same, and suggested the possible inclusion of an article on Special Town Meeting for additional funds for Tree Work.

Discuss/Approve/Vote – Response from Board of Assessors on Overlay Release

The board reviewed a response from the Board of Assessors who, in response to the Board of Selectmen's request, have declined to release overlay funds, after consultation with the Department of Revenue.

Discuss/Approve/Vote – Appointments

Appointment to Rec Committee of Elizabeth Brown

It was MOVED by Gilmore, SECONDED by Ness

To appoint Elizabeth Brown to the Recreation Committee, and to appoint Mary Andrianopoulos to the Historical Commission.

VOTED: 3, 0, 0.

Town Administrator's Report

The regional policing project meeting has been scheduled for Wednesday, September 30, at 6 PM.

The board was requested to post the following meetings:

October 6, 2015, 5:00 PM – Enterprise Fund Information Session

The board agreed to post the meeting to enable deliberation, if needed.

Other Upcoming Meetings:

September 30, 6 PM: Regional Policing meeting – Town Offices, South Deerfield

October 7, 2015, 6:30 PM – Regular meeting, Town Offices, South Deerfield

October 21, 2015, 6:30 PM – Regular meeting, Town Offices, South Deerfield

Adjourn

It was MOVED by Gilmore, SECONDED by Ness,

to authorize signing of payroll and vendor warrants, upon completion, and at the convenience of the Board members.

VOTED: 3, 0, 0.

The meeting was adjourned at 8:36 PM.

Respectfully Submitted,

Douglas Finn
Executive Assistant