

**TOWN OF DEERFIELD  
MUNICIPAL BUDGET COMMITTEE PUBLIC HEARING & MEETING  
AUGUST 13, 2013  
MINUTES**

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**Call to Order:**

6:00 pm Chairman Don Daley called the meeting to order.

**Pledge of Allegiance to the Flag**

Chairman Daley asked all to rise and pledge allegiance to the Flag.

**Moment of Silent Reflection**

**Roll Call:**

**Present:** Don Daley, Chairman; Carol Levesque, Fred McGarry, Jeff Shute and Kevin Verville, and Bill von Hassel, Members; Maryann Clark, School Board Rep; Steve Barry, Board of Selectmen Rep

**Absent:** Jim Spillane, Vice Chair; Harriet Cady and David Carbone Members

**Approval of Minutes – April 30, 2013**

**Motion:** M. Clark moves the minutes as written

**Second:** K. Verville

**Vote – 7 yea, 0 nay, 1 abstained – Motion Carries**

**Oath Form- Bill von Hassel**

Chairman Daley noted that Mr. von Hassel has been sworn in as a voting member of the MBC, but that the Town Clerk is needing a signed Oath Form to finalize the appointment. The Committee circulated the form for signature.

***Vice Chairman Spillane Arrives***

**PSSG Contract – 2013 Town Budget Line #01.4130.02.813 Town Administration: Other Charges and Expenses**

Chairman Daley reviewed the reasoning and timeline behind the calling of the meeting. The meeting was originally requested by H. Cady on July 8<sup>th</sup>, after receiving a tie feedback from the Committee, 5 members in favor of meeting and 5 members opposed, Chairman Daley made the decision to go ahead and call the meeting. He spoke to the history of the line item in question. It was originally known as a contingency line and in 2012 was changed to “Other Charges & Expenses”.

***Member H. Cady Arrives***

\$1,191.16 has been spent in this line year to date, and according to the backup materials submitted during the 2013 budgeting process the line is to be used for unexpected equipment and software failures, to cover all Departments except the Police and Highway Departments. Since approval of the Budget the Board of Selectmen has hired Public Safety Strategies Group to conduct an organizational review of the Police Department and on July 15<sup>th</sup> executed a contract with this firm at a cost of \$7,795 that will be spend under this budget line. Chairman Daley would like to divide discussion into two parts, first addressing the question of legality, secondly discussing the Committees opinion of the reason for the expenditure.

**Legality:**

Chairman Daley forwarded a statement to members received from Legal counsel of the Local Government Center stating that it was within the Selectmen’s legal right to move these funds for this expense. Vice Chairman Spillane voiced his position that the MBC has always approved a bottom line budget, and he agrees that the Selectmen are able to move funds as they deem appropriate. H. Cady feels that the LGC reply was worded with ambiguity, and did not answer the question. If the MBC does not engage its own legal counsel to consider the matter, she will. F. McGarry sees no value in spending further public money to hire an attorney and agrees that the action of the Selectmen was within their legal rights.

The Committee has no desire to take further action as relates to the question of legality.

**Opinion Regarding Activity:**

H. Cady spoke that the MBC was told during the 2012 Budget review that this line was for an Office Copier that needed replacing, if the contract is taking precedence over that purchase, should the Committee expect to see the funds requested again in the 2013 Budget? Chairman Daley referenced the backup materials stating that the line was for “unexpected

equipment and software failures.” Selectman Barry could not answer whether the funds would be in the 2013 Budget as that process has not yet begin.

#### ***Member D. Carbone Arrives***

Selectman Barry went on to express that he feels the Town and Board of Selectmen have been more than open in their communications with the MBC over the last several years. Entering into this contract was fully within the rights of the Town and he feels that this meeting is a waste of resources. He would look for clarification of what the MBC’s focus is.

Chairman Daley asked that conversation be restricted to only this specific line item and issue and that personal statements and philosophizing be done at a future meeting under a future chair.

Vice Chairman Spillane spoke that he voted in favor of holding tonight’s meeting as communication by email is restricted. In the interest of openness he feels holding a meeting is the only way to allow for all members to ask questions.

Selectman Barry informed the Committee that the Board of Selectmen signed a contract with PSSG to conduct an audit of the procedures and daily activity of the Police Department. He added that he is unable to say anything further about the issue as it is a non-public matter.

**Motion:** Selectman Barry moves to table the agenda item

**Second:** M. Clark

**Vote:** Yea 5, Nay 6 – Motion Fails

Chairman Daley voiced his concerns with the Select Board’s activity as he feels it will call into question the credibility of the MBC. The Committee presented the 2013 budget to the voters as a bare bones budget and lobbied for its approval over the default budget. For the first time in many years the budget passed, and so seeing funds available for this extra and unexpected expense was a surprise. He expects the 2014 budget to be much higher and would ask how the voters can have confidence in the voice of the MBC with things like this taking place. Selectman Barry informed the MBC that this item was not planned. It was an unexpected cost, but that the Board of Selectmen voted 4-0 to approve speaks to the necessity of the expenditure.

K. Verville referenced exhibit A of the contract and the Scope of Work, noting that the purpose is to develop a revised statement of mission, he would ask what is the shortfall with the current mission? Secondly, the firm will create a strategic plan, what is the Department trying to strategize for moving forward? He added that he too was in favor of holding tonight’s meeting as the only way to fully review the issue. Holding a meeting, to him, is the only way to fully explore whether a issue has merit. Vice Chairman Spillane asked what caused such an emergency within the Police Department that this work needed to be done mid-cycle and asked if the issue was that crucial that it couldn’t wait a few months until the 2014 budget cycle? H. Cady noted that she would have been more than willing to consider this purchase in the 2013 Budget, and added that she has not heard any public expressions that there is a problem with the way the Department is being run. She feels this activity is a deceptive movement of funds.

Selectman Barry could not speak to the reason behind hiring PSSG and said there is nothing further he can discuss on the matter at this time. He will potentially be able to provide more detail at a further date. C. Levesque asked what the time frame for the work to be done was, to which Selectman Barry said there was not a set time frame available. Chairman Daley asked when the contract expires, to which K. Verville commented that the contract does not state an end date, other than the maximum billable amount.

H. Cady commented that a contract needs five things to be legal, a start date, an end date, the two parties involved, and what services will be rendered. She feels the community is being miss-served with the Select Board entering into a contract with no specified end date. B. von Hassel asked if there was any indication of when the scope of work might be completed. Selectman Barry responded that they would hope by year-end, but he did not have a clear sense of the time frame the work would take. K. Verville pointed out that, the contract specifies a period of strategic plan implementation at a cost of \$850/month – backing into the total amount budgeted for that portion of the work the implementation would take five months, likely bringing the work into 2014.

#### **Old Business – Election of Officers**

**Chairman:**

**Nomination:** H. Cady nominates Jim Spillane

**Second:** Jim Spillane

**Nomination:** M. Clark nominates Kevin Verville

**Second:** F. McGarry

Both candidates spoke to their interest in serving and qualifications for the job.

**Vote: Jim Spillane 3, Kevin Verville 8 – Kevin Verville is Elected Chairman**

Chairman Verville thanked Don Daley for his service to the Committee

**Vice Chairman:**

**Nomination:** Selectman Barry nominates Don Daley

**Second:** F. McGarry

**Nomination:** Chairman Verville nominates Jim Spillane

**Second:** J. Spillane

**Vote: Don Daley 5, Jim Spillane 6 – Jim Spillane is Elected Vice Chairman**

### **New Business**

Selectman Barry spoke to his previous comments about the purpose and usefulness of the Municipal Budget Committee. He commented that over the past several annual budget sessions it appears that any monies the MBC removes from the budget are put back in by the community during the Deliberative Session. He wishes to express that certain members of the Committee speak with false information and are not held to account for their actions. Chairman Verville suggested that the MBC and Board of Selectmen should continue to work together and it is his hope that Selectman Barry will continue his work with the Committee.

H. Cady added that although the monies are put back in at Deliberative Sessions, the voters have voted down the Town Budget, opting for the default budget, for the three years prior to 2013. D. Daley voiced his hope that communication with the Board of Selectmen and MBC will continue to improve.

In other new business H. Cady raised the issue that she reviews the Town Manifest weekly and makes copies for herself at a cost of \$0.50/ea. She would like to see copies provided to the MBC members without having to pay that fee. Chairman Verville will take this up with the Town and report back. Selectman Barry suggested that any information requests made be done only after a vote of the Committee.

Chairman Verville reminded members of the email policy and stressed the importance that people never “reply all” to a message. D. Daley volunteered to take on the role of archivist for the Committee.

**Motion:** Selectman Barry moves to appoint D. Daley as MBC Archivist

**Second:** M. Clark

**All in Favor – Motion Carries**

### **Citizens Comments**

Selectman Pitman spoke that he was sad to listen to 45 minutes of discussion, some heated, when there are some things that just cannot be discussed or made public. He assured the Committee that there will be a full report and all information that is able to be disclosed will be made public.

### **Adjournment:**

**Motion:** Selectman Barry moves to adjourn the meeting of August 13, 2013

**Second:** F. McGarry

**All in Favor – Motion Carries – Meeting Adjourned @ 6:55 p**

The Minutes were Recorded, Transcribed and Respectfully Submitted by Katie Libby.  
Pending Approval by the Municipal Budget Committee