

**TOWN OF BROOKFIELD
BOARD OF SELECTMEN
TOWN HALL, BANQUET HALL**

MINUTES FOR JANUARY 21, 2003

PLEDGE OF ALLEGIANCE

The meeting opened at 7:00 p.m. with the Pledge of Allegiance. Beverly A. Lund, Robert S. Phillips, and Joseph J. Klimavich were present.

APPROVAL OF PAYROLL OF JANUARY 21, 2003

Mr. Klimavich moved to approve the payroll in the amount of \$126,708.29; Mr. Phillips seconded; so voted.

APPROVAL OF JANUARY 21, 2003 MINUTES

Mr. Klimavich moved to approve the minutes of January 21, 2003 as amended in the notes by Mr. Phillips; Mr. Phillips seconded; so voted.

The Board is concerned that the minutes may have more dialogue than needed and revisions are taking up too much time. A few suggestions were discussed including Mrs. McManus using a tape recorder. The minutes should be more concise and only state what happened, what action was taken and what actions need to be followed up on.

1. KENNETH HAYES' RESIGNATION

Ms. Lund read a resignation letter from Kenneth Hayes, part time Patrol Officer, dated January 13, 2003. He stated his resignation was the best choice for himself, his family and the Police Department.

Mr. Klimavich moved to accept the resignation of Kenneth Hayes and send Michelle Randazzo, Town Counsel, a copy of the letter; Mr. Phillips seconded; so voted.

2. JOINT MEETING CULTURAL COUNCIL AND BROOKFIELD COMMUNITY CLUB

Ms. Lund said the purpose of the meeting was to discuss maintenance and scheduling of events on the common and the gazebo and to decide which groups would be responsible for certain events and the related costs. Present at the meeting were Bill Simpson, Cultural Council Chairman; Louise Woodard and Barbara Wilson, Cultural Council members; Phil Peirce representing the Brookfield Community Club, the Congregational Church and A.P.P.L.E. Seed; and Herb Chaffee, Highway Superintendent.

It was decided that the Congregational Church will be in charge of the Christmas Tree Lighting because they prepare the refreshments for the Tree Lighting. A date will be coordinated with the Cultural Council to determine when the tree will be placed in the gazebo and decorated. The Selectmen's office will be contacted to coordinate Santa's arrival and to purchase the candy Santa gives out. The Town Hall Custodian will be asked to keep the walkway free of snow for the event.

Mr. Peirce said A.P.P.L.E. Seed has donated the material and painted the gazebo. The Highway Department will continue to provide year-round trash pickup and lawn mowing.

Scheduling the common and the gazebo will continue to be coordinated by the Town Clerk, the Administrative Assistant, and the Cultural Council.

The group discussed using some of the funds from the Common - Xmas expense account to help defray the cost of the yearly Christmas lights purchased by the Cultural Council. The account pays for the electricity and usually has a balance at the end of the fiscal year. During this year's budgeting process the amount needed for the electricity will be transferred to the Streetlight account with the remaining balance being transferred to the Cultural Council.

The discussion moved onto two other areas. First, the removal of the former Christmas tree from the common to make way for a new tree. The Cultural Council was given money to purchase a tree from the remaining Brookfield 325th anniversary funds. The Board asked the Cultural Council to obtain quotes for the removal cost of this tree.

The second area was the disposition of the funds donated by the residents after 9/11 to place flags on Central Street. The Board wondered if these funds could be used to help with lighting the flag on the common. The Board felt the residents should be asked if they would agree with a different use of their money. Mrs. McManus will determine who donated the funds so that a letter could be sent to the donors.

3. JANUARY 2003 TAX BILLS

Letter from the DOR read advising that the third and fourth quarter real estate tax bills were sent out with the incorrect tax rate of \$20.74 rather than the DOR approved rate of \$20.73. This error was due to misinformation used by the DOR computer consultant who was helping prepare the tax commitment and bills.

The DOR informed the Town that the fourth quarter bill must be corrected and new tax bills sent out. No refunds would be made because the overtax amount was less than \$5.00 on any one real estate tax bill.

Mr. Peirce, Board of Assessors, advised that notices of the error were posted in the Town Hall and sent to the Worcester T & G and the cost of mailing the fourth quarter bills would be absorbed by the Board of Assessors.

Mr. Phillips moved to acknowledge receipt of the letter; Mr. Klimavich seconded; so voted.

4. **OFFICE SPACE**

Ms. Lund said the Assessors are very cramped in their room and Mr. Phillips remarked that there may be adequate space to move the Selectmen into the Board of Assessors' office space. The Selectmen went to look at the room with Mr. Peirce.

The meeting was recessed at 8:08 p.m.

The meeting resumed at 8:21 p.m.

5. **SNOWPLOWERS**

Ms. Lund advised Mr. Chaffee that the wage authorization for Peter Martell has not been signed because she and Mr. Klimavich have concerns about the overtime issue and the Board is looking into ways to resolve the issue. The DOR frowns upon employees performing work other than what is listed in their job description and cautions the Town on the liability of an industrial accident.

Mr. Chaffee explained he hired Chief Martell on a Sunday morning after the large snowfall to help clear snow because he was cheaper than a private contractor and readily available. Mr. Chaffee asked Chief Martell to clear snow because it was an emergency. Mr. Chaffee wondered why the Board approved a payroll voucher for Mr. Clarke, when he worked for the Highway Department but not Chief Martell. Mr. Phillips said Chief Martell's Highway payroll actually was approved in the 1/21/03 warrant.

Both Mr. Klimavich and Ms. Lund said this issue with Chief Martell was not a personal issue. The issue is he is employed as the EMT/Firefighter, works a 40hour/week with 20 hours on-call, puts in overtime, plus he is the Fire Chief as compared to Bruce Clarke, Water Department Superintendent, who collaborates with the Highway Department on an ongoing basis.

Mr. Chaffee was also reminded that the Selectmen are the hiring authority.

The Board suggested Mr. Chaffee rotate the snowplowers so as not to favor one person over another, advertise for snowplowers, and verify that the Highway Department sub contractors, who plow the shorter roads and help clear the intersections, are insured adequately.

Ms. McManus was instructed to contact MIIA to ascertain the appropriate amount and type of insurance coverage the Town should request of its snowplowing contractors or other subcontractors.

6. **APPOINTMENT – HERB CHAFFEE**

Mr. Klimavich moved to appoint Herb Chaffee as Tree Warden and Pest and Insect Superintendent; Mr. Phillips seconded; so voted.

7. **SNOW AND ICE OVER EXPENDITURE**

Mr. Phillips advised that last week the Board approved the Highway Department's request to overspend the Snow and Ice account due to the heavy snowfall this year and, based on MGL C 44 §31D, the request must also be approved by the Advisory Committee.

Mr. Klimavich moved that the Board forward the request to the Advisory Committee to authorize the overspending of the Snow and Ice Account; Mr. Phillips seconded; so voted.

8. **DISCUSSION ON 32B**

The Board tabled discussion until next week's meeting.

9. **MEMORIAL DAY ACTIVITIES**

Ms. Lund advised that there is no one at this time to coordinate the Memorial Day activities due to the resignation of Bob Wilder. In addition, the VFW, who supplied the refreshments, has disbanded its chapter in Brookfield. The Board instructed Mrs. McManus to get the checklist of the Memorial Day activities from Mr. Wilder. The Selectmen will contact other organizations with the hope of finding a group willing to organize the ceremonies.

10. **PERFORMANCE EVALUATION**

Mr. Klimavich drafted a set of criteria and a rating system to be utilized as a tool to evaluate employees' overall performance and to point out employees' strengths and weaknesses. The criteria include Professionalism, Communication, Work Ethics/Responsibility, Issues Management/Problem Solving and Teamwork.

The Board addressed various issues such as whether the performance evaluation would be considered as an option for giving a raise above the COLA, who should evaluate the Department Heads, and whether all compensated appointed officials should be evaluated.

Mr. Phillips moved to send a copy of the Performance Evaluation to all Department Heads and ask them to review it and to bring their comments to the February 6, 2003 Department Heads meeting; Mr. Klimavich seconded. Mr. Klimavich offered to draft the memo to accompany the mailing of the draft evaluation to the Department Heads. The motion was favorably voted.

The Board agreed that after the Department Heads have commented on the evaluation a date will be scheduled to begin evaluations.

11. SEXUAL HARASSMENT

Mrs. McManus was instructed to contact MIIA to arrange a date or two to hold Sexual Harassment training.

12. QQLA - GRANT ISSUES

Ms. Lund, representing the interest of the QQLA, requested approval of the Board to cosponsor a Lakes and Pond Grant, titled the 319 Grant – Storm Drain, Best Management Practices.

Ms. Lund also advised that there is confusion about funds remaining in the former Lakes and Ponds grant accounts and other grants awarded to the Town. Ms. Lund will research this matter and advise the Board of her findings. She suggested that all Department Heads submit grant applications to the Town Accountant.

Mr. Klimavich moved to send a memo to the Department Heads that all grant applications and grant award contracts be forwarded to the Board of Selectmen and the Town Accountant; Mr. Phillips second; so voted.

Mr. Phillips moved to approve the QQLA request that the Town of Brookfield be the co-applicant on the 319 Grant and to notify the QQLA of the Board's decision; Mr. Klimavich second; so voted.

13. RATIFICATION OF SATURN GRANT

Mr. Klimavich moved to ratify the action taken by the Police Chief in signing the Saturn Grant; Mr. Phillips seconded; so voted.

14. MONTHLY REPORTS

Mr. Klimavich moved to acknowledge receipt of the SCM Elderbus Schedule of Expenses and Revenue December 2002 report and the Custodian's December 2002 report; Mr. Phillips seconded; so voted.

15. TOWN ACCOUNTANT - MUNICIPAL FINANCE MEETING

Mr. Klimavich moved to approve the Town Accountant's request to attend the Municipal Finance Meeting on February 12, 2002; Mr. Phillips seconded. Ms. Lund advised Mr. Phillips that the Town Accountant would be attending the meeting during work hours and she should be paid. The motion was voted favorably.

16. TOWN HALL USE REQUESTS

Mr. Phillips moved to approve the request of the QQLA to use the Town Hall Auditorium on March 19, 2003 at 7:00 p.m.; Mr. Klimavich seconded; so voted.

Mr. Klimavich moved to approve the request of the Democratic Committee to use the Town Hall on February 8, 2003 at 10:00 a.m.; Mr. Phillips seconded; so voted.

17. QUABOAG BOAT RAMP REQUEST

Mr. Klimavich moved to grant approval to the New England Bass to use the Quaboag Boat ramp on May 4, 2003, 7:00 a.m. to 4:00 p.m.; Mr. Phillips seconded; so voted.

18. TOWN COUNSEL RECOMMENDS CHANGE TO BY-LAW REGARDING AUTHORITY TO DENY, SUSPEND OR REVOKE LOCAL LICENSES

Mr. Phillips moved to send Town Counsel's opinion on Town By-law Chapter V, Section 6 to the By-law Committee for their review: Mr. Klimavich seconded; so voted.

19. DHCD – CHAPTER 40B REGULATORY UPDATE

Ms. Lund advised that the Department of Housing and Community Development held a Public Hearing in October 2003 and changes were made to the existing regulations. A copy of the changes are on file in the Selectmen's Office.

Mr. Phillips moved to acknowledge receipt of the letter; Mr. Klimavich seconded; so voted.

20. **MIIA**

LOSS CONTROL CREDIT PROGRAM

Ms. Lund advised that MIIA unveiled a new Loss Control Credit Program to assist members in controlling their insurance cost. Members will be able to earn up to 8% credit on their FY04 MIIA premiums.

Mr. Phillips moved to participate in the MIIA program by faxing back the Intention to Participate form; Mr. Klimavich seconded; so voted.

TERRORISM COVERAGE AT NO CHARGE

MIIA notified its property and casualty members of their new coverage for terrorism that they will not charge any additional premium for the Terrorism coverage as of January 9, 2003.

21. **CORRESPONDENCE**

The Selectmen would like to be aware of correspondence and memos sent out from the Selectmen's Office and Mrs. McManus was instructed to start a folder and place it in a convenient place for their review.

22. **TOWN REPORTS**

The Board was in favor of Mr. Phillips drafting the Selectmen's report for the Annual Town Report and will review it at a future meeting for the approval by the Board.

23. **LOCAL AID CUTS**

Mr. Phillips and Mr. Klimavich attended the Friday, January 17, 2003 meeting at the Spencer Town Hall with Lieutenant Governor Healy. Ms. Lund had a prior commitment. Carter Terenzini, Spencer Town Manager, presented a report on issues facing the area and how the local aid tax cuts will affect the area.

Lt. Governor Healy responded to the concerns and answered questions from the audience. She gave no indication what the Governor plans to cut.

Some Town Officials are requesting budget cuts from 10 –15% from their staff for FY04. Brookfield could be looking at cuts of 7% for the remainder of FY03. Mr. Klimavich noted that most communities do not want to touch their stabilization accounts. Mr. Phillips preference would be to put free cash into Stabilization but many residents have expressed interest in reducing the tax rate.

Mrs. McManus was instructed to check on the progress of the professional accounting team, Melanson Heath and Company in concluding its work for the Town.

24. SPECIAL TOWN MEETING

The Board discussed holding a Special Town Meeting. Mrs. McManus was instructed to check with Linda Lincoln, Town Clerk on either March 6 or 13, 2003 and to see if the elementary school is available.

25. FACILITY PLANNING COMMITTEE

The Board would like to develop and recruit members for a Facility Planning Committee.

Mr. Phillips moved to allow Mr. Klimavich to draft a Facility Committee charge and will place an ad on the public access bulletin board; Mr. Klimavich seconded; so voted.

26. ROOF REPAIR

Mr. Phillips is concerned about the disrepair of the Town Hall roof, slates, cornice moldings and flashing, and suggested that a consultant be hired to draw specifications for the repair.

Mr. Phillips moved to seek estimates for a consultant to prepare a set of specifications to replace or repair the Town Hall roof; Mr. Klimavich seconded; so voted.

27. SITE PLAN FOR MILL STREET

Mr. Phillips referred to a suggestion made by Trudy O'Connell, Planning Board Chairman and former Facility Planning Committee member, that the Town consider getting a site plan of the Mill Street property from J. Stewart Roberts to indicate the best use of the land for the proposed development. J. Stewart Roberts worked with the Facility Committee on the municipal needs analysis.

Mr. Phillips moved to authorize Mrs. McManus to solicit a bid from J. Stewart Roberts for a site plan on the Mill Street Property; Mr. Klimavich seconded; so voted.

28. EXECUTIVE SESSION

Ms. Lund entertained a motion to enter into Executive Session to discuss pending litigation and to adjourn directly therefrom. Mr. Phillips so moved; Mr. Klimavich seconded. Mr. Phillips voted aye; Mr. Klimavich voted aye; Ms. Lund voted aye. Regular meeting concluded at 10:59 p.m.

Respectfully submitted,

Christine McManus, Administrative Assistant

Date approved by the Selectmen February 4, 2003