

TOWN OF BROOKFIELD
SELECTMEN'S MEETING
TOWN HALL, BOARD OF SELECTMEN OFFICE
MINUTES OF APRIL 1, 2009 P.M.
EXECUTIVE SESSION

Attendees: Selectman Ronald J. Dackson, Selectman James Allen were present at the posted time: 6 p.m.
Selectman Rudy Heller arrived at 6:15 pm

Also present: Patricia Cantor of Kopelman & Paige
Peter Masuzzo, Cemetery Commissioner

Mr. Allen called the meeting to order at 6:00 p.m.

Mr. Dackson moved to go into Executive Session stating Exception to the Open Meeting Law Number 3, "*...to discuss strategy relating to collective bargaining ... if an open meeting may have a detrimental effect on the bargaining ... position of the governmental body, to conduct strategy session in preparation ... to conduct collective bargaining sessions or contract negotiations....*" with no intention of reconvening in Open Session once the Executive Session was adjourned. Mr. Allen seconded.

Roll Call Vote: James Allen, Chairman: AYE
Ronald Dackson: AYE.

The purpose of the meeting was to discuss several issues with Town Counsel.

Town of Brookfield v. Douglas J. Kruzewski and Joseph Spadea
Land Court Case No. 07 MISC 341857-CWT

After some discussion involving Mr. Masuzzo, Town Counsel and the Selectmen, Mr. Dackson moved, Mr. Heller seconded to allow Town Counsel to proceed with the Brookfield v. Kruzewski et al., and proceed to trial. Town Counsel estimates that the additional cost may be \$7-10,000. The chances of prevailing are 50-50 at best. Expenditures on this case to date have been around \$30,000 as per Town Counsel's estimate.

Donald O'Clair
11/13 Quaboag Street, Brookfield

Mr. Dackson moved, Mr. Heller seconded to allow Town Counsel to proceed in the Brookfield v. O'Clair case, in which contempt has been demonstrated by violations of the court order which enjoined Mr. O'Clair from conducting any activities in furtherance or in relation to his storage and automobile business until all permitting is in place. Estimate here is an additional expenditure of \$7,000. Expenditures to date add up to approximately \$20,000. Since this is a case involving contempt, all attorney's fees should be recoverable by the town from Mr. O'Clair.

Tax Title: Lakeside Resort Condominium

Re the Brookfield v. Babb, et al. case, it was decided that at this time the best thing to do is not do anything and wait for the taxes owed to build up.

Mr. Dackson moved to adjourn at 7:20 p.m. Mr. Heller seconded; so voted.

Roll Call Vote: James Allen: AYE,
Ronald Dackson: AYE,
Rudy Heller: AYE.

These minutes were approved by a vote of the Board of Selectmen on: _____.
DATE RELEASED: 11/27/2012