

TOWN OF BROOKFIELD
SELECTMEN'S MEETING
TOWN HALL, BANQUET ROOM

MINUTES OF FEBRUARY 17, 2010

SPECIAL SESSION

Chairman Rudy Heller called the meeting to order at 9:00 am and led the group in the Pledge of Allegiance. Other members present: James Allen and Peter O'Connell.

Camera Operator: John David Holdcraft

Press: Ruth Lyon, David Dore

Public: Betty Benoit, Town Accountant; Jerry Johnson, Chair of the Advisory Committee.

APPROVAL OF WARRANTS:

Mr. O'Connell moved to ratify the Payroll Warrant of February 9, 2010 in the amount of \$164,400.79, the Prepaid Expense Warrant of the same date in the amount of \$960.00 and to approve the Expense Warrants of February 17, 2010 in the amounts of \$102,056.88 and \$16.86 (Wire Transfer); Mr. Allen seconded; so voted..

APPROVAL OF MINUTES:

This was passed over to the February 23rd meeting.

ACKNOWLEDGEMENT OF MONTHLY REPORTS & MINUTES

Mr. Allen moved to acknowledge receipt of the following monthly reports and departmental minutes; Mr. O'Connell seconded; so voted.

Fire Department: January 2010

Town Hall Custodian: January 2010

Recreation Committee: 12/07/2009; 12/21/2009; 1/14/2010; 1/25/2010

Cultural Council: 01/11/2010

ANNOUNCEMENTS:

The announcements were read by Chairman Heller and included notices of two Public Hearings; one by the Conservation Commission to be held tonight to review a Notice of Intent filed by the Commonwealth of Mass, Dept. of Fish & Game, Office of Fishing & Boating Access for South Pond Repairs, fisherman Access Facility (Assessors Map 3F, Lot 2 & Map 3D, Lot 1) and a Planning Board Hearing to be held on Wed., March 3rd to hear public comment on an application of Mark Hammond to operate a towing/repossession facility at his property at 174 Rice Corner Road, Assessors Map 1C, Parcel 24 in the Rural Residential District.

Public Access Period:

Speaker: John David Holdcraft.

New Business:

1. PROPOSED BUDGET PROCEDURE BY TOWN ACCOUNTANT

Betty Benoit, Town Accountant, presented a handout to the Selectmen and explained her proposal to the Board that her office be authorized to implement a system for monitoring the budget where she would:

- a) keep track of all changes during the budget formation process
- b) use these numbers to create the budget for Annual Town Meeting
- c) have custody of the only “official” copy of the budget
- d) help with continuity and coherence
- e) save other departments from having to create the same thing (i.e. Town Clerk, Assessors)
- f) create a form to send to departments requesting their information for any future budget

She explained that there would be a lot of information on this spread sheet that: could be customized to include budget history and would coincide with information sent to the Dept. of Revenue (DOR) at the end of the fiscal year. Mrs. Benoit answered several questions and further explained that since this is additional work, not customarily part of the Town Accountant’s responsibility, she would require \$1,500 to be added to her pay. She suggested that this stipend would be paid in two installments; one when the budget was about half-way completed and the other payment would be at the end of the budget year.

Following discussion, Mr. O’Connell moved to endorse the proposal made by the Town Accountant and request the Advisory Committee’s support and to request a transfer from Reserve Funds to pay the stipend. There was no second and Mr. O’Connell withdrew his motion.

Mr. Allen moved that the Board of Selectmen, contingent upon agreement with the Advisory Committee, endorse the recommendation by the Town Accountant that the budget procedure be centralized and that all financial information funnel through that office with the end result being one spread sheet; Mr. O’Connell seconded; so voted.

Mr. Allen moved that, assuming the Advisory Committee endorse the previous vote, that they (the Advisory Committee) provide a means of financing the stipend. There was no second and this motion was withdrawn.

Mr. O’Connell moved that the Board of Selectmen request the Advisory committee to use Reserve Funds to pay for the Town Accountant stipend for the current fiscal year so that the Town Accountant’s proposal may be implemented for the budget procedure

for fiscal year 2011 or to recommend an alternative means of funding; Mr. Allen seconded; so voted.

The Selectmen thanked Mrs. Benoit for bringing her proposal to them.

There was then some discussion of the Snow and Ice Account and Mrs. Benoit made it clear that, in order to deficit spend this account – the only account that may be deficit spent -- a favorable vote of both the Board of Selectmen and the Advisory Committee is needed. If these votes are not received, she may pay wages but not invoices; however, the alternative would be not plowing or sanding the roads.

Old Business:

2. **CLASS II LICENSES**

Mr. Heller presented his draft letter to be sent to all current and future recipients of Class II licenses; the letter asks for certain information that the law mandates the Selectmen have when issuing licenses.

It was agreed that if the letter was sent, it would include a requested response deadline of 30 days from receipt of the letter and that this letter would also include a request for a site plan and sketch showing how the property is used, if more than one business is located at the property.

Mr. O'Connell moved to approve the letter with the two noted above changes; Mr. Allen seconded; so voted. The letter will be sent out again in the fall at the beginning of the Class II renewal process.

3. **SET DATE FOR MARCH SPECIAL TOWN MEETING**

Following a review of several suggested dates submitted by the Town Clerk, Mr. O'Connell moved that the Selectmen set the date of March 18, 2010 as the date for a Special Town Meeting to begin at 7:00 pm; Mr. Allen seconded; so voted. This would mean that the last day to register to vote for this meeting would be Monday, March 9th; the last day to post the Warrant would be Friday March 5th and that the Warrant will have to close by Tuesday, February 27th.

Mr. Allen moved that the Special Town meeting be held in the Town Hall; Mr. O'Connell seconded; so voted.

4. **RESIGNATION – HISTORICAL COMMISSION; WRTA REPRESENTATIVE**

Historical Commission – Patti White

Mr. O'Connell moved to accept with regret the resignation of Mrs. A. Patricia (Patti) White as Chairman and member of the Historical Commission and to send her a letter

of appreciation for her service; Mr. Allen seconded; so voted. Mrs. White's letter was dated February 1, 2010 and was effective immediately.

Worcester Regional Transit Authority Representative (WRTA) – Cheri Carty

Mr. O'Connell moved to accept with regret the resignation of Mrs. Cheri Carty as the Town's representative to the WRTA and to send her a letter of appreciation for her service; Mr. Allen seconded; so voted. Mrs. Carty's letter was dated January 28, 2010 and becomes effective on March 18, 2010.

Mr. Heller encouraged people to step forward to volunteer for these positions and volunteered to serve in Mrs. Carty's position until someone else can be appointed.

5. GREATER WORCESTER COMMUNITY FOUNDATION (GWCF) – GRANTEE AGENCY SCHOLARSHIP

Because the Town of Brookfield has received a grant/grants from Greater Worcester Community foundation in 2009, the Town is eligible to nominate one student for the Grantee Agency Scholarship. This scholarship is specifically designed to benefit young people who participate in, volunteer at, or work for programs sponsored by the GWCF's grantee agencies. The nominee must be enrolled in a two- or four-year college or vocational program in the fall of 2010 and must submit a scholarship application to the Foundation. Two students will be selected for a \$2,500 scholarship which is renewable for up to four years.

Mr. O'Connell moved to accept and to publicize the grant opportunity; to put a notice in the Brookfield Citizen and on Cable Access to invite eligible applicants to get back to the Selectmen by March 15th; Mr. Allen seconded; so voted.

6. REPRESENTATIVE TO SCHOOL UNION NEGOTIATIONS

A notice was received that the Selectmen were welcome to send a representative to the negotiations of the Educational Support Personnel of the Brookfield Elementary School. Mr. O'Connell moved to designate Selectman Allen to this position; Mr. Heller seconded; so voted.

7. PROPOSED PROCEDURE WITH SELECTMEN'S MINUTES

Mr. O'Connell reviewed his proposed procedure for review of future Selectmen's minutes:

1. Admin. Assistant (AA) takes minutes during a Selectmen's meeting (or the Clerk does if the AA is not present).
2. The AA will draft the minutes and send them to the Clerk for review and editing.

3. The Clerk will review and edit the minutes; if there are legal questions, the clerk will get clarification from Town Counsel, keeping this to a bare minimum.
4. The Clerk will send the edited minutes back to the AA who will circulate them and the Action Items list to the Selectmen and place the minutes in the “minutes folder” for the next Selectmen’s meeting; the other selectmen will know that when they receive the minutes they will have already been reviewed by their Clerk.
5. The Selectmen will make any changes and/or pose any questions on the WRITTEN COPY of the minutes that are in the folder; these changes and/or questions will be discussed at a Selectman’s meeting, and approved as edited.
6. The AA will make the changes, print them, indicate the date of approval and file them with the official Selectmen’s minutes for future binding.

After a short discussion, Mr. O’Connell moved to accept the new procedure; Mr. Allen seconded; so voted.

8. CORRESPONDENCE FROM HIGHWAY SUPERINTENDENT RE: TOWN COMMON

A letter from the Highway Superintendent suggesting that in the summer of 2010 (fiscal year 2011) the responsibility of the maintenance of the Town Common and Mall be that of the new Bannister Common and Mall Committee rather than that of the Highway Department. He pointed out that the 1997 Ariens® lawn mower used by the Highway and dedicated for use at the Common and Mall is need of extensive repair or replacement. He commented that members of the new committee have more expertise in landscaping, mowing, and trimming than his department. The Selectmen decided to defer the matter to later on in the budget process; in addition to the new Common & Mall Committee, this duty could be taken over by either the Recreation Committee or the Cemetery Committee and all three departments will be questioned for their suggestions.

9. **BROOKFIELD EMERGENCY MANAGEMENT AGENCY (BEMA):**

Appoint Community Emergency Response Coordinator

Following a request from the BEMA Director, Mr. Keith Karmann, and Bruce Augusti, of the Massachusetts Emergency Management Agency, Mr. O'Connell moved to appoint the Fire Chief, Peter Martell, as the Community Emergency Response Coordinator for the Town of Brookfield; Mr. Allen seconded; so voted. There was no end term included in this motion.

Sign Hazardous Materials Emergency Plan (HMEP)

The Selectmen also received a Hazardous Materials Emergency Plan (HMEP), prepared in accordance with the provisions of Section 303, The Emergency Planning and Community Right-to-Know Act, M.G.L. Chapter 21E, 210 CMR 40.000 (The Massachusetts Contingency Plan), the Mass. Comprehensive Emergency Management Plan, Chapter 639 Acts of 1950 and E.O. 242. The Mass. State Emergency Response Commission (SERC) and the Regional Emergency Planning Committee (REPC) adopted this plan to provide for the protection of the public located within the REPC, in the event of a hazardous chemical emergency.

The Selectmen agreed to defer this until their Tuesday, February 23, 2010 meeting so that they can get confirmation that nothing further is needed of them.

10. **350th QUABOAG PLANTATION ANNIVERSARY PARADE - FLOAT**

The Administrative Assistant asked the Board if they were going to march or ride in the parade this September or if they would sponsor a float. They agreed that the Town Hall should be represented in the Brookfield portion of the parade and to reserve a space. Mr. Allen moved to ask the 350th committee to give the Board ideas and to ask a representative to attend a future meeting; Mr. O'Connell seconded; so voted. The Administrative Assistant will contact all departments to remind them of the parade and ask that they participate in the parade.

11. **SOUTH POND BEACH**

Mr. Heller reported the Board that he had recently attended a subcommittee meeting that was comprised of a member of the Conservation Committee, the Recreation Committee and a member of the Board of Health. They reviewed the plan that the Dept. of Fishing and Boating Access was going to present at the Public Hearing tonight regarding their plans to upgrade what is known as "South Pond Beach". Mr. Heller showed the Board the plans and they discussed some suggested changes that will be presented tonight at the Hearing. It is expected that the project will proceed this summer. The question was raised if there was money in the FY 2011 budget for maintenance of this area. Maintenance would include trash removal, toilet rental, lawn mowing, etc. Mr. Allen raised the question of how the Highway would have access to the beach area for various maintenance work that they may have to perform.

Mr. Heller will present that question at the Hearing tonight and will also take the plans to the Police Department for their review.

12. LYME DISEASE AWARENESS

An e-mail request was received from Elise Provost to allow her to place lime green ribbons on the trees that are on the Common again this year to promote awareness of Lyme disease. Mr. O'Connell moved to give permission for the ribbons to promote Lyme Disease awareness and to notify the applicants, the Cultural Council, the Highway Superintendent and the Bannister Common and Mall Committee; Mr. Allen seconded; so voted.

13. SELECTMEN'S WEDNESDAY MEETINGS

Mr. O'Connell proposed dedicating Wednesday morning meetings to budget items until the budget is completed for fiscal year 2011. He moved that the Chairman and the Administrative Assistant manage the Wednesday agenda so that the budget process would have priority for at least the first hour of the meeting and there would be no public access periods; Mr. Allen seconded; so voted.

14. MASTER PLAN COMMITTEE REQUEST

Mr. Heller reviewed a request from Mr. William R. Simpson, Chairman of the Master Plan & Open Space and Recreation Committee that included a survey to be completed by the Selectmen. The Committee is currently working on the Transportation, Zoning and Government Chapters of the Master Plan. Mr. Heller volunteered to complete and return the survey. Mr. O'Connell commented that he believed the survey seemed to go beyond the scope of the master plan. The questions seem "too open ended" and "need a lot of detail"; perhaps "a "different timeline and more narrow scope" was needed. It was agreed that Mr. Heller would contact Mr. Simpson and this will be placed on the February 23rd agenda.

15. TREE QUOTES – CDBG-R PROJECT

Quotes for tree removal in the CDBG-R project area (Common Street and Lincoln Street), as received by the Highway Superintendent, were reviewed. Mr. O'Connell moved to accept the quote of \$2,500 (in cooperation with the local Highway Department) and award the contract to Tim Batchelor, 50 Gilbert Street, North Brookfield, MA; Mr. Allen seconded; so voted.

Mr. Batchelor also submitted a quote of \$4,000 for the project; this quote did not include the assistance of the Highway Department. Other quotes received were: E.J. Searah Services, 75 Washington Road, Brimfield, MA 01010 for \$10,000 without the Highway's help and \$3,200.00 with their help and from Northern Tree Service, Inc. of 1290 Park Street, Palmer, MA 01069 for \$12,200 without the Highway's help.

Correspondence:

16. MASS. ARBORIST ASSOCIATION – ARBOR DAY SERVICE

Last year, the Town planted trees on Lewis Field as part of this program with the assistance of National Grid. The Administrative Assistant will contact the Shade Tree Commissioner, the Tree Warden, the Cemetery Commissioners, the Recreation Committee and Bannister Common & Mall Committee to see if they had any interest in initiating a program for 2010 Arbor Day.

17. CENTRAL MASSACHUSETTS MUNICIPAL PLANNING ORGANIZATION (CMMPO) – MEETING ON FEBRUARY 24, 2010

A notice was received that the CMMPO will hold a meeting on February 24, 2010 to discuss a proposed amendment #3 to the CMMPO endorsed 2010 to 2013 Transportation Improvement Program.

18. SEN. BREWER – GOVERNOR’S BILL

Mr. Heller read the letter sent to Governor Patrick by Senator Brewer and Representative Gobi asking the Governor to act favorably on the Bill from the Town of Brookfield asking for ratification of the Town’s Special Election vote of January 19, 2010 that authorized the Town Clerk position to be changed to appointed from elected. The Selectmen asked the Administrative Assistant to follow up on this request. Mr. O’Connell will send a copy of the letters to Mr. Michael Lucas, Principal of Tantasqua Regional High School, a personal friend of the Lt. Governor; and ask him to intercede on our behalf.

Other:

19. MEMO TO BOARDS/COMMITTEES RE: OPEN MEETING LAW

Mr. O’Connell has drafted a memo to the boards and committees regarding the posting of meetings, quorums needed, and creation of minutes, etc. He reported that the Town Clerk hasn’t had the time to do this and believes that her department should only address the posting of meetings. It was agreed that Mr. O’Connell should send the memo to the departments as quickly as possible.

20. SELECTMEN’S REPORT FOR ANNUAL TOWN REPORT

Mr. O’Connell, Clerk of the Board, announced that he had completed the Selectmen’s Report for the 2009 Annual Town Report and he asked the other Board members to please review the report and give him comments.

21. MASSENERGYINSIGHT – SEMINAR REPORT

Mr. Heller reported having attended a seminar yesterday of MassEnergyInsight. This seminar was about how each town could create a base line/benchmark regarding their energy use and set a goal of a specific time when they would reduce their consumption of energy by 20%. Once this goal is accomplished, the Town would become eligible for additional grant funding and would be considered a “Green Community”.

22. SPECIAL TOWN MEETING – MARCH 18, 2010

The Administrative Assistant asked the Board if they would consider other articles for this Special Town Meeting (STM) or if the only article would be relative to funding renovations to the Town Hall. It was agreed that she should ask the other departments if they had any articles but that they preferred to accept only articles that related to the Town Hall property or were regarding some needed action that could not wait until a June STM.

Mr. Heller suggested using some Town Hall Improvement money to move the old salt shed from behind the Town Hall in anticipation of a favorable vote. He said it would be more convenient for the Highway workers if the salt shed was closer to their location. Mr. Heller noted that the replacement salt shed, located near the new highway barn at 56 Mill Street, already has a foundation and part of the walls.

It was agreed that Mr. Allen would work with the Highway Superintendent with the goal of an article on the March 18th STM Warrant to remove the old salt shed and finish the new one.

Public Access Period:

Speaker: John David Holdcraft

At 12:00 noon, Mr. O'Connell moved to enter Executive Session and to return to Open Session only to adjourn; the purpose of the Executive Session to discuss strategy relating to non-union personnel (number 3) and to discuss potential litigation; Mr. Allen seconded; so voted with Mr. Allen voting aye; Mr. O'Connell voting aye; and Mr. Heller voting aye.

ADJOURNMENT:

At 12:27 p.m., Mr. Allen moved to adjourn the meeting; Mr. O'Connell seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: _____