

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

**MINUTES OF APRIL 20, 2010**

**REGULAR SESSION**

Chairman Rudy Heller called the meeting to order at 6:30 pm and led the group in the Pledge of Allegiance. Other members present: James Allen and Peter O'Connell.

**Camera Operator:** John David Holdcraft

**Press:** Karen Trainor

**Public:** Adam Rundell

**APPROVAL OF WARRANTS:**

Mr. O'Connell moved to ratify the Expense Warrant of April 14, 2010 in the amount of \$60,189.56 and the Wire Transfer Warrant of the same date in the amount of \$126.25 and to approve the Payroll Warrant of April 20, 2010 in the amount of \$172,702.95; Mr. Allen seconded; so voted.

**APPROVAL OF MINUTES:**

Mr. Allen moved to approve the minutes of April 14 and April 7 both Special Sessions but to hold off approving the Executive Session Minutes (1, 2, and 3) until an Executive Session; Mr. O'Connell seconded; so voted.

**ANNOUNCEMENTS:**

Mr. Heller read various announcements which included Certificates of Achievement for Acting Police Chief Christopher Welsh, notice of a joint ZBA, Planning Board and Master Plan Committee meeting scheduled for 6:30 on April 28<sup>th</sup> and notice of the availability of the Annual Consumer Confidence Report of the Water Department to be in the May issue of *The Brookfield Citizen*.

**ACKNOWLEDGEMENT OF MONTHLY REPORTS & MINUTES**

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

Library Trustees: 03/08/2010

Board of Health: 03/01/2010

Cemetery Commissioners: 03/06/2010

Town Hall Custodian: March 2010

Public Access Speakers:

Mr. John David Holdcraft

*Old Business:*

1. **LETTER TO TOWN COUNSEL REGARDING CEMETERY LOT CASE:**

The Cemetery Commissioners had recently asked the Selectmen to send a letter to Town Counsel expressing their concern relative to Counsel's handling and court presentation of the Town's case against two purchasers of a total of 64 cemetery lots. Mr. Heller had drafted a response and this will be forwarded to the other Selectmen for their review and suggestions and this will be discussed at the Tuesday, May 4<sup>th</sup> Selectmen's meeting.

2. **SELECTMEN'S BUDGET REVIEW MEETING:**

This meeting has been posted for 9:00 am on Wednesday, April 28. The Board agreed to re-schedule this meeting to 2:00 pm on the same date.

3. **CLASS II AUTO DEALER'S LICENSE – ERIK'S CAR RECONSTRUCTION:**

Mr. Erik Granath, owner and operator of Erik's Car Reconstruction, responded to the Board's certified letter with a copy of his auto dealer's bond insurance. The Board agreed that there was no action to be taken.

4. **DEMOLITION OF A GARAGE AT 33 RIVER STREET:**

The Building Inspector had condemned the garage at 33 River Street and had notified the owners but the letter came back to him. Since the property is in Tax Title, the responsibility for safety and liability falls to the Selectmen. The Administrative assistant contacted for area contractors and received the following quotes for the demolition of this building and for removal of the debris:

Ralph Mundell, Brookfield, \$90/hour plus tipping fee (debris removal) = total cost unknown

Roger Mundell, Jr., Brookfield: \$850 demolition; \$300 debris removal = \$1,150 total

Richard Chaffee, Brookfield: \$625 demolition; \$350 debris removal = \$1,000 total

David Bercume, Spencer: \$4,200 demolition; \$2,000 tipping fee = \$6,200 total

An alternate plan would be to use the Town's Highway Department who do not need current contractor's licenses as any one hired would. Roger Mundell, Jr., one of the contractors submitting a quote, pointed out to the Board that new "lead law" would be taking effect on Thursday, April 22<sup>nd</sup> and it could affect the cost of this project. He recommended that the Town take down the building immediately.

Mr. Allen said that if the Town would vote to take down the garage, it should keep track of all costs to that a lien can be filed. He said an itemized bill should be requested from the Highway, Police and Board of Health.

Mr. O'Connell moved, given the order and specifications of the Building Inspector, that the Selectmen authorize the Highway Department to immediately demolish the garage at 33 River Street and dispose of the materials appropriately, all departments involved should submit an itemized list of all expenses incurred relative to this project so that the Treasurer, with the assistance of Town Counsel, can file a lien on this property; Mr. Allen seconded; so voted.

5. **MOWING OF THE TOWN COMMON:**

After the Highway Department received an e-mail notifying them that the Selectmen want them to continue mowing the Town Common, they sent a letter to the Selectmen indicating that the problem was not that they didn't want to continue mowing this land it was that their equipment was in very poor shape. Mr. O'Connell said that he would talk with Mr. Masuzzo of the Cemetery Commissioners to see if they would share their resources. The Recreation Committee also has a lawn mower that the Highway could use.

Mr. Allen noted that he had spoken with a member of the Common/Mall Committee who said that they may be coming to speak to the Board. He asked if maybe the mower that the Highway uses could be fixed and he will check this out and report back.

6. **INTER-MUNICIPAL AGREEMENT FOR PURCHASING:**

The Selectmen of the Town of West Brookfield announced that they were planning on signing the Inter-Municipal Agreement for purchasing of office products at their meeting tonight pending their counsel's approval. The Brookfield Selectmen agreed to wait until West Brookfield has received their counsel's opinion before taking any action. This will be placed on the May 4<sup>th</sup> agenda.

It was also noted that the Boards of Health of Brookfield and North Brookfield are working on an inter-municipal agreement.

7. **CSX BRIDGE RECONSTRUCTION UPDATE:**

Notice was received of a pre-construction meeting to be held in Worcester on Friday, April 30<sup>th</sup> at 10:00 am. CSX plans to raise this bridge to accommodate double-stacked and loaded cars.

The Board discussed which departments should attend; Mr. Allen will plan on attending. The following initial list of questions, comments, concerns was created and there will be a special meeting of the Selectmen on Tuesday, April 27<sup>th</sup> at 9:00 am when these other departments will be invited to attend and add to the list:

- Sidewalks (both sides of bridge),
- Infrastructure added for water lines;
- Re-design of the complicated intersection (Mill, Pleasant, River, Lower River, Fiskdale Road (Route 148));
- Expectations of Brownfield project to be connected for recreational use;
- Staging area;
- Schedule so that emergency traffic (school busses, fire, police, ambulance) can get from one side of the river to the other quickly;
- Adequate lighting;
- Pleasing appearance of bridge; and
- Coordination of this project with the Quaboag Street bridge

*New Business:*

**8. CONSOLIDATED PLAN DRAFT:**

Notice was received from Central Massachusetts Regional Planning Commission (CMRPC) that the 2010-2014 Consolidated Plan Draft is now available and the public is invited to comment on it. Comments are to be submitted by April 29<sup>th</sup> directly to [dhcdconsolidatedplan@state.ma.us](mailto:dhcdconsolidatedplan@state.ma.us); via fax to 617-573-1120 or by mail to DHCD, 100 Cambridge St., Suite 300, Boston, MA 02114, Attn: Patrick Hart. The Hearing schedule was also given: 4/15 in West Springfield; 4/20 in Worcester and 4/22 in Boston.

“Every five years, DHCD is required to produce this plan for HUD detailing how Massachusetts will use the Community Development Block Grant (CDBG), HOME Investment Partnership, Emergency Shelter Grant, and Housing Opportunities for People with AIDS funding to advance housing and community development goals. This plan sets out goals and strategies for Massachusetts’ housing and community development priorities over the next five years.”

It was agreed to ask Bill Scanlan and Christopher Dunphy if there are any specific points that the Board should address in their response.

9. **BOTTLE BILL:**

The Board received a draft Resolution In Support of Updating the Massachusetts Bottle Bill with a request that they consider signing the Resolution and send it to our representatives in congress. Also received was a document “Benefits of an Expanded Bottle Bill on Municipal Refuse and Recycling Costs and Revenues” from the Massachusetts Department of Environmental Protection (DEP). The Chairman of the Board of Health and Assessor, Philip Peirce, each wrote the Board in support of this resolution.

Mr. Allen moved that the Board support the process by authorizing the Chairman to sign the Resolution; Mr. O'Connell seconded; so voted.

10. **WARRANT FOR ANNUAL TOWN ELECTION:**

The Warrant for the Annual Town Election to be held on Monday, May 3, 2010 from 7 am to 7 pm in the Town Hall, Banquet Room was presented to the Selectmen for their signatures. The warrant had been reviewed and approved as to content by the Town Clerk and approved as to form by Town Counsel.

Mr. O'Connell moved to sign the warrant; Mr. Allen seconded; so voted.

11. **SOLAR POWER MEETING ON MAY 12:**

Mr. Heller announced that he and Bruce Clarke would be attending a meeting on solar power in Hadley on May 12<sup>th</sup>; this meeting will focus on solar farm installation on landfills and in watershed areas.

The Administrative Assistant will give Mr. Clarke the total number of kilowatts used by the town on a monthly basis.

Mr. O'Connell has contacted school superintendent Daniel Durgin to let them know to keep the Brookfield Highway Barn in the school proposal. The Town will need to draft an inter-municipal agreement for this purpose and we have asked STAM and Town Counsel for a template.

The Board will look for an alternate time for their meeting scheduled for Wednesday May 12<sup>th</sup>.

12. **RESIGNATION**

A resignation was received from Mr. Jeffrey Edwards from his membership on the Town's Recreation Committee. Mr. Heller entertained a motion to accept the resignation with regret and send him a thank you letter for his service; Mr. Allen so moved; Mr. O'Connell seconded; so voted. Mr. O'Connell added that these letters were important and should be signed by the Chairman.

13. **REQUEST FOR DONATION ACCOUNT BY RECREATION COMMITTEE**

Administrative Assistant, Donna Neylon, told the Board that the Town Accountant had brought the Treasurer of the Recreation Committee to her office to request that the Selectmen authorize the creation of a donation account to be used by the Recreation Committee. The Committee was supposed to submit this request in writing but it has not yet been received. The Board agreed to take no action but Mr. Heller would attend the Recreation Committee's next meeting.

14. **SURVEY – GREEN PLANNING SUMMIT**

CMRPC had forwarded to the Board a survey and Mr. Heller agreed to complete the survey for the Board. The survey results will be used by program partners, NEXUS, American Planning Association Massachusetts Chapter (APA-MA) and Department of Environmental resources (DOER) to ensure that the summits they are planning offer the "right programming for our community needs for green policy efforts".

15. **GRANT ANNOUNCEMENTS:**

A. **CEMETERY GATE GRANT APPLICATION – MASS. HISTORICAL**

This grant application was returned with suggestions for additional information to be added; the Town was given additional time for submission of this grant. Mr. Masuzzo of the Cemetery Commissioners and Mr. Couture of the Historical Commission are working together on this application.

B. **BROWNFIELD CLEAN UP GRANT APPLICATION (MILL STREET)**

Notice was received that the Town will receive a maximum of \$200,000 award for this clean up grant!! The correspondence indicated that we submitted "an outstanding grant proposal"; the Selectmen acknowledge this was due to the efforts of grant writer, Bill Scanlan. It is anticipated that this will complete this project. The "project manager" (administrative assistant) will have to attend a meeting and will choose between a date in Boston or two dates in Chelmsford.

Mr. Heller will draft a press release regarding this grant.

**16. PROPOSAL OF ELECTRICAL INSPECTOR REGARDING FEES**

Scot Mansfield, Electrical Inspector, submitted a proposal to the Selectmen. He would like to keep 80% of the fees that he collects and give the other 20% to the Town of Brookfield; this would be in lieu of the Town raising and appropriating an annual salary for him.

Mr. Heller suggested that before taking any action, the Board talk with other inspectors to get their opinion. Mr. O'Connell suggested finding out what had been paid to the inspectors in the past and bring this up at the next joint Selectmen's meeting. All agreed that this should be discussed again as part of the budget discussions.

*Other:*

**17. VOLUNTEER**

Mr. O'Connell moved to authorize Adam Rundell to speak; Mr. Allen seconded; so voted.

Mr. Rundell said that he was being interested in being part of the Town's government and felt that he was qualified to be on the Personnel Board, an Energy Committee and to help with the Town's website.

Mr. Heller entertained a motion to appoint Mr. Rundell to the Personnel Board and to accept him as a volunteer for the website. After some discussion, it was agreed that Mr. Rundell should submit a letter of interest for the Personnel Board and no motion was needed to accept him as a volunteer to help with the website.

*Correspondence:*

**18. CHARTER COMPLAINT**

The complaint received recently from Mr. Wayne Morris of Wagon Wheel Park had been forwarded to Charter Communications. A letter was received indicating that Mr. Morris' concerns have been satisfactorily resolved.

**19. WESTERN MASS LAW SEMINAR**

A notice of a seminar to be held on April 29<sup>th</sup> in Northampton and given by Leonard Kopelman of Kopelman and Paige was read. If anyone would like to attend and would like to car pool, please advise the Selectmen's office.

Receipt of the following was acknowledged:

20. CSX 2010 YEARLY OPERATIONAL PLAN OR RIGHT-OF-WAY MANAGEMENT
21. NATIONAL GRID PUBLIC HEARING MAY 6, 2010
22. NATIONAL GRID COPY OF CONDENSED ANNUAL RETURN AVAILABLE
23. INVITATION TO ATTEND OPEN HOUSE OF SENIOR LIVING AT PROUTY, SPENCER – MAY 14<sup>th</sup> from 10 am to 2:00 pm
24. MEMORANDUM TO PUBLIC EMPLOYEES RE: LIMITS ON EMPLOYMENT AND POST-RETIREMENT EARNINGS WORKSHEET

**Public Access Speakers:**

Mr. John David Holdcraft

**ADJOURNMENT:**

At about 8:0 pm, Mr. O'Connell moved to adjourn the meeting; Mr. Allen seconded; so voted.

Respectfully submitted,  
Donna L. Neylon, Administrative Assistant

Date approved by Board: \_\_\_\_\_