

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

MINUTES OF JUNE 15, 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 S. O'Connell. Mr. Allen was late due to a family commitment.

Camera Operator: John David Holdcraft

Press: David Dore

Public: Jerry Johnson

APPROVAL OF WARRANTS:

Mr. O'Connell moved to approve the Payroll Warrant of June 15, 2010 in the amount of \$166,882.27 and to ratify the Payroll Warrant of June 1, 2010 for \$185,537.42 and ratify the Expense Warrant of June 9, 2010 for \$34,537.42; Mr. Allen seconded; so voted.

APPROVAL OF MINUTES:

Mr. Allen moved to approve the minutes of the meetings of May 18, 2010, June 1, 2010 and June 9, 2010 all "regular" sessions; Mr. Heller seconded; so voted.

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.

Master Plan Committee: 1/14/10; 3/10/10; 4/22/09; 5/6/09; 7/1/09; 7/15/09; 8/5/09;
10/9/09

Treasurer's Tax Reconciliation: 3/31/10

Historical Commission: 5/20/10

Board of Health: 3/8/10

Library Trustees: 5/10/10

ANNOUNCEMENTS:

Mr. Heller read various announcements which included a reminder of the Special and Annual Town Meetings to be held in the Elementary School Friday, June 18, 2010 at 6:30 and 7:00 pm respectively.

Public Access Period:

Passed over

Old Business:

1. CONTINUE WITH APPOINTMENTS:

It was agreed to defer this until the end of the meeting but if the meeting ran too late, the appointments would be taken up at the Wednesday, June 23, 2010 meeting.

2. SAW MILL POND DAM INSPECTION PROPOSALS:

Three written and one verbal price were received from engineering firms qualified to perform the state-mandated inspection of Saw Mill Pond Dam on Lake Road. The quotes ranged from a low of \$3,300 to a high of \$4,500. The written quotes came from Tighe & Bond, Fuss & O'Neil and Lenard Engineering. Board members will individually review the quotes and this matter will be placed on the June 29th agenda.

Reference checking: They will also bring up the subject at the June 24th Joint Selectmen's meeting to see if any of the attending communities had any experience with any of the quoting companies. The Administrative Assistant was asked to see if either Bruce Clarke or Herb Chaffee had any preference as to firms and to call the DCR to see if they had any comments.

In order to fund this mandated inspection, the Board agreed to propose an increase in the Board of Selectmen's Expense line in the FY 2011 budget by \$4,500; this would be accomplished by reducing the municipal gasoline account by \$3,000 and the municipal heating account by \$1,500.

3. OPEN MEETING LAW CHANGES UPDATE

According to a new summary of the law, there will now be TEN exemptions as reasons for holding an Executive Session instead of the current nine. Is the Town Clerk still planning on holding an informational meeting even though there is a chance the new law changes won't go into effect until November rather than the originally proposed July first? Mrs. Neylon will find out.

4. POLICE CHIEF JOB DESCRIPTION AND SEARCH

Mr. Heller reported that he had met with the Personnel Board to review the proposed job description for Police Chief. Following a discussion, they voted their unanimous approval which included the Selectmen's changes.

The job advertisement for a level 16 (545 points) is now ready to post and the advertisement will begin the Monday after the Annual Town Meeting and will continue, according to Town By-Law for a minimum of two weeks.

Administrative Assistant Back-up:

As part of the posting of the Chief's job, the matter arose that the Mrs. Neylon will be on vacation one of the weeks of the position search. In order to make sure that any requests for job descriptions are timely cared for and that resumes coming in are logged in, the Board agreed that:

- Either Lee Finney or Sheila Frangiamore, Treasurer Clerks, will be asked to work up to 8 hours for the Selectmen during the time period of June 28 through July 1st.
- Mrs. Neylon would make up a supply of job descriptions to be mailed.
- Whoever will work will daily, after 3:00 pm, check all telephone messages and relay them to one of the Selectmen if necessary and mail out any requested job descriptions.
- A Municipal Relief Transfer Form will be submitted, asking for the hourly rate of the highest paid worker for 8 hours.
- The deadline for receipt of job applications was moved from Friday, June 2, 2010 to Tuesday, June 6, 2010 at 3:00 pm, primarily due to the Monday, July 5th holiday.

5. KEATON DRAFT LETTER FOR BOARD'S REVIEW:

Mr. O'Connell's draft letter to Mrs. Keaton regarding her failure to comply with the terms of her home rehabilitation grant was back on the agenda for discussion. The letter requests that she either pay the full balance or enter into a payment plan with the Town. The next stage would be to get Town Counsel involved. The objective is not to go into foreclosure but to get the debt paid up.

Mr. Heller said that the home, if owned by the Town, could be turned into a Chapter 40B dwelling. The Town is an abutter and could get a variance to install a septic on the abutting corner of Lewis Field or install a "tight tank" style septic system.

Mr. O'Connell moved that the Board authorize him to send the letter as amended; Mr. Allen seconded; so voted.

6. PROPOSED BRUSH POLICY:

The drafted policy includes four Saturday hours (4 hours each) every spring and fall. The Town's Herbert Road property would be used for brush deposit. It also includes the site be staffed by the Transfer Station staff and paid for by Board of Health but they rejected the proposal. They believe that everyone should have access to dumping of brush and leaves and if the dumping site was the Transfer Station, only those who pay the fee would be eligible. They also stated that they didn't think the Herbert Road property would be a good end dump site as it was within 400 feet of water. Mr. O'Connell reported that both Bruce Clarke, Water Superintendent, and Herb Chaffee, Highway Superintendent, had disagreed stating the actual site would be outside the 400 foot perimeter. It was proposed that the monitor be a Highway

employee, paid from the Highway budget which would have to be increased to accommodate the extra costs. The monitor costs do not include the labor/time necessary for trucking, chipping of the brush, etc.

Mr. Heller will talk with North Brookfield's recycle coordinator to attempt to resolve the question of whether or not brush and leaves can be temporarily stored at the Transfer Station. Mr. Heller said that he understood that storage on "the cap" was not allowed but that there were no regulations for storage in other locations within the Transfer Station area.

Mr. Allen suggesting asking the State Department of Environmental Protection (DEP) the question of brush storage at the Transfer Station; Mr. O'Connell will check with the Board of health and ask them to check with the DEP.

7. **PROPOSED POLICY – PLOWING AND MAINTENANCE OF PRIVATE WAYS:**

No action was taken on the policy that would propose no maintenance and/or plowing of private ways or a process whereby all abutters would sign a "hold harmless" document if the Town were to continue the practice. This will be researched further.

During discussion, it was agreed to:

- Bring this subject up at a joint Selectmen's meeting;
- Ask STAM (Small Town Administrators of Massachusetts) for copies of any policies/procedures already in place;
- Have something ready for the voters at the fall Special Town Meeting. They would be asked something similar to whether or not the town should plow and/or maintain private ways; if this would pass then should the residents have to re-petition every three years? If this article would pass, then another article would be needed to fund the services.

8. **BOARD OF HEALTH CONTRACT, JOINT WITH NORTH BROOKFIELD**

The Brookfield and North Brookfield Boards of Health have been working together for a contract for transportation of trash from the Transfer Stations and the contract will be awarded to Casella Waste Systems whose corporate offices are in Rutland, Vermont. Mr. Heller intends to attend a meeting in North Brookfield on Wednesday, June 16th where this will be finalized. Mr. O'Connell moved to authorize the Chairman to enter into a contract with North Brookfield and Casella on behalf of the Town of Brookfield; Mr. Allen seconded; so voted.

9. **REVIEW DRAFTED MOTIONS FOR SPECIAL AND ANNUAL TOWN MEETING:**

Motions had been drafted by the Administrative Assistant and were discussed by the Board, the results follow

Special Town Meeting:

Mr. O'Connell moved to approve the motions for the June 18, 2010 Special Town Meeting as edited; Mr. Allen seconded; so voted.

Annual Town Meeting:

Article 9: Remove "or any successor committee" which is before MGL in the motion.

Article 15 & Article 16: Change FY 2010 to FY 2011.

Article 17: Transfer \$20,000 to Town Hall Improvement – no change here.

Article 25: Mr. Heller will work on a more precise amount for this article (computers & software).

Article 30: Leave the amount blank (transfer to Stabilization)

Mr. O'Connell moved to approve the motions for the June 18, 2010 Annual Town Meeting as amended; Mr. Allen seconded; so voted.

New Business:

10. **ACCEPT DONATIONS AND ESTABLISH ACCOUNTS:**

Mr. O'Connell moved to accept the \$2,000 anonymous donation to the Elementary School for playground equipment; Mr. Allen seconded; so voted.

Mr. O'Connell moved to accept any donations made to the Recreation Committee; Mr. Allen seconded; so voted.

It was noted that there was a \$2,000 gift from the Cultural Council to the Elementary School Playground Equipment Fund. No action was taken on this as the Board was uncertain if this amount should be handled as a gift or as a grant.

11. **DISTRICT LOCAL TECHNICAL ASSISTANCE (DLTA) PROGRAM UNFUNDED:**

Correspondence was received from Megan DiPrete, Manager, Community Development and Planning, Central Massachusetts Regional Planning Commission, indicating that funding for this program was not included in the Senate's FY11 budget. Ms. DiPrete asked that letters of support be sent to the Conference Committee showing a support for the program and to reinstate the funding.

According to Ms. DiPrete, “DLTA funds are distributed among the STATE’S 13 Regional Planning Agencies (RPA’s) to help move municipalities forward in the Commonwealth’s key initiatives, including regional collaboration, promoting economic development, best practices in zoning, and protecting the environment. This funding is essential to assist cities and towns in regionalizing services as diverse as public health, fire safety, emergency dispatch, special education, emergency medical services, and disaster planning.”

Mr. O’Connell moved that the Board authorize him to send a letter to support House funding of the DLTA program; Mr. Allen seconded; so voted.

12. STRAP GRANT AUTHORIZATION TO PROCEED

Lucinda Thompson and Herb Chaffee of the Highway Department are working on the newest application for the STRAP grant (Small Town Road Assistance Program) and they have requested a letter from the Board of Selectmen authorized submission of the STRAP grant application. An e-mail was also received from Senator Stephen Brewer indicated that if the Town applied for the STRAP grant to send him a copy so that he can advocate on our behalf. As Mr. O’Connell pointed out the Selectmen have already given their approval of the application, Mr. Heller proceeded to sign the drafted letter.

13. CENSUS BOUNDARY LINE REQUEST:

A request from the U.S. Census Bureau was received that the Town review its boundaries as indicated on the supplied map and confirm their correctness. The Board agreed that this might more easily be researched by the Assessors or the Planning and the Assessors should be asked first for their assistance.

14. SPECIAL ELECTION PROCEEDS AND MUNICIPAL RELIEF TRANSFER REQUEST:

Mr. O’Connell moved to authorize the Town Accountant to approve the transfer of \$1,197.34 from Special Election Proceeds to Elections and Registrations Expense Account; Mr. Allen seconded; ; so voted.

Mr. O’Connell moved to approve the Municipal Relief Transfer of \$700 from Elections and Registrations Wages to Elections and Registrations Expense; Mr. Allen seconded; so voted.

15. **LETTER RE: 2007 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG):**

Mr. William Scanlan is assisting Mr. Timothy Hanson of CMRPC in closing out the 2007 CDBG grant. One document needed is a letter indicating that the Town does not need to use the \$3,000 from Program Income Funds for repair of roads. Originally, when it was discovered there was a problem with the paving work done under this grant, the Town had asked for the money but the contractor fixed the problem at no cost to the Town and the \$3,000 is not needed.

Mr. O'Connell moved to authorize the Chairman to sign the above noted letter; Mr. Allen seconded; so voted.

16. **REQUEST TO USE TOWN COUNSEL:**

Correspondence was received from the Planning Board asking for permission to contact Town Counsel relative to a request they had received for a Special Permit on Rice Corner Road. Mr. Heller entertained a motion to allow the Planning Board's request; Mr. Allen so moved adding that the Planning should first request a cost estimate and use their revolving account; Mr. O'Connell seconded; so voted.

Correspondence:

17. **CHARTER COMMUNICATIONS – CHANNEL LINE-UP CHANGES EFFECTIVE ON JULY 1, 2010**

Receipt of this communication was acknowledged.

18. **FINAL DRAFT OF LAND USE CHAPTER OF MASTER PLAN:**

The final draft of the Land Use Chapter was received from the Master Plan Committee who also requested the Board's review and comments. A copy will be made for each Selectman who will make his own comments for review at their meeting on Wednesday, June 23rd and prior to forwarding as a Board to the Master Plan Committee.

19. **LETTER: SENATOR KERRY REGARDING BROADBAND SERVICES:**

Senator John Kerry wrote to the board in support of broadband services for Brookfield and Nationwide. The term *broadband* refers to a telecommunications signal of greater bandwidth, in some sense, than another standard or usual signal. Mr. Heller agreed to write a letter of support.

20. LETTER: EXECUTIVE OFFICE OF PUBLIC SAFETY & SECURITY – SEALT BELT USAGE:

This will be forwarded to the Police Department.

Other:

21. COMPLAINTS REGARDING NOTICES OF UNPAID TAXES FROM THE TAX COLLECTOR:

Mr. Allen reported having received several telephone calls from citizens upset about getting Demand Notices from the Tax Collector for unpaid Real Estate Taxes that they claim they did not know they owed. Both Mr. O'Connell and Mr. Heller had received these calls. The Board agreed to keep a log of these calls and defer them to Mrs. Moores, Tax collector.

22. SPECIAL SELECTMEN'S MEETING:

The Board agreed to hold a short meeting on Friday, June 18, 2010 at 9:00 am in the Town Hall for one more review of the motions and strategy for the Special and the Annual Town Meeting.

Public Access Period:

No one took advantage of this opportunity.

ADJOURNMENT:

As there was no further business before the Board, Mr. Allen moved to adjourn at 8:48 pm; Mr. O'Connell seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: _____