

TOWN OF BROOKFIELD

SELECTMEN'S MEETING
TOWN HALL, BANQUET HALL

MINUTES OF SEPTEMBER 9, 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: Sharon Mahoney

Press: Karen Trainor, Ruth Lyons

Public: Peter Martell, Eric Glass, John David Holdcraft, Barbara Wilson

APPROVAL OF WARRANTS:

Mr. O'Connell moved to ratify the approval of the Expense Warrant of 9/1/2010 for \$113,683.11 and the pre-paid Expense Warrant of 8/31/2010 for \$1,000 and to approve the Payroll Warrant of 9/07/2010 for \$156,535.35; Mr. Allen seconded; so voted.

APPROVAL OF MINUTES:

Mr. Allen moved and Mr. O'Connell seconded the motion to approve the minutes of regular meetings of the Board of Selectmen for 6/9/10; 6/15/10; 6/23/10; 7/7/10; 7/13/10; 7/21/10 and 7/27/10; 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.

Conservation Commission: 7/27/10

Fire Dept.: August 2010

EMS Dept.: August 2010

Recreation Committee: 8/2/1010

Historical commission: 6/10/10

Local Cable Access: 7/9/10

Treasurer's Cash Reconciliations: 6/30/10

ANNOUNCEMENTS:

There were no announcements.

New Business

1. POLICE CHIEF SEARCH - UPDATE

Announcement of Finalists:

Peter Martell, Chairman of the Police Chief Search Committee and Fire Chief, attended to announce the names of the four finalists and turn them over to the Selectmen and to explain the process that the committee underwent.

He said that the committee's process was subjective. They reviewed the thirteen resumes they received and first eliminated those that did not have the minimum qualifications and that the committee felt were not a "proper fit for the Town at this time". They then conducted five interviews and gave four names to the Board. The committee makes no recommendation of any of the four individuals as they "are all strong candidates".

The Selectmen asked Chief Martell if the Charge provided the committee was adequate and he replied that yes, it worked for them and was a good guide. The Board also asked about the make-up of the committee to which Chief Martell replied that those who were not knowledgeable of police procedures were civic-minded and had roots within the community. He said the committee worked well together and each member contributed.

The Selectmen agreed that they would personally call the nine who did not make the final four; those individuals would also receive a letter.

Chairman Heller had prepared a press release without the four names. Mr. O'Connell moved to approve the press release; Mr. Allen seconded for discussion purposes; the release was approved by a unanimous vote once the town of residence was added. Once those names and towns of residence were filled in, Mr. Heller read the announcement aloud and gave each member of the press their own copy. Below is a copy of the press release:

"In July, 2010, the Brookfield Board of Selectmen announced the beginning of a process to select a Police Chief for the town, following the procedure set forth in its by-laws. A committee of citizens was appointed and given the task of doing the initial screening of candidates who responded to the advertisements for this position.

Today the Board of Selectmen is pleased to announce that it has received the recommendations of the Police Chief Search Committee. Following the guidelines set forth by this Board, the Search Committee met numerous times to evaluate the candidates, including interviewing them individually.

The charge of the Police Chief Search Committee's work was to recommend to the Board of Selectmen 3 to 5 candidates for this important position. In fulfilling their charge, the Committee has recommended the following four persons:

*Randy Berg, resident of West Brookfield
Michael Blanchard, resident of Sturbridge
Michael Cloutier, resident of North Brookfield
Christopher Donais, resident of North Brookfield*

Chairman Rudy Heller spoke for the entire Brookfield Board of Selectmen stating “We thank the Committee for their dedication and hard work. The Police Chief Search Committee was made up of many different stakeholders in the Town and did its work following a careful and well-designed process. The Town is thus one step closer to selecting a Chief for its Police Department. The Board of Selectmen will now proceed to schedule interviews with the recommended candidates as soon as possible.”

After several questions from the floor were answered by Chief Martell, the Board expressed their gratitude to every member of the committee for all of their hard work. Mr. Heller listed the members: James Cooke, Kermit Eaton, Kathleen Hosterman, Kyle Kozlowski, Peter Lembo, Peter Martell, and Brenda Metterville.

Chief Martell asked that the committee be formally discharged. Mr. Allen suggested that this action wait until after the successful hiring of a Police Chief and the other Selectmen agreed with him.

Mr. Allen moved to send a letter of appreciation to the search committee members; Mr. O'Connell seconded; so voted.

Next step – Interviews:

Following some discussion, the Selectmen agreed to work on questions to ask at the public interview and to bring them to the Wednesday, September 15th meeting. Mr. O'Connell will ask former Acting Chief Christopher Welsh and current Acting Chief Douglas Blood for their suggested questions.

According to the Open Meeting Law, the interviews must be public and the Board agreed that they would be conducted two each on the evenings of Wednesday September 22 and Thursday September 23rd and begin about 6:00 or 6:30 pm. Each interview would last about 45 minutes with a about a 15 minute break before the next interview. There would be no questions from the floor. Residents having questions that they would like to see asked, were asked to submit them to the Board for possible inclusion.

2. FACILITIES USE REQUEST

Long time Brookfield resident and television and movie producer (The Wacky Factory), Eric Glass, attended the meeting to ask permission to use the second floor of the Town Hall also known as the Great Hall and the Theatre for a date yet-to-be-determined in early October. He would need about four hours and planned to film a

1950's era dance with children from the ages of 5 to 15. The event would not be a real dance, would be closed to the public and would be part of a drama.

Mr. Glass said that his shows are currently broadcast in New York City, Massachusetts and New Hampshire. He said that he was aware of the questions of liability as a result of the ADA laws (Americans with Disability Act) and would understand if the Board had to deny his request.

As the Administrative Assistant has already requested a decision from the State Office of Disability, Mr. O'Connell moved to approve Mr. Glass' use of the Great Hall on a date to be determined subject to satisfactory meeting of requirements of the Town Hall and conditional upon the approval of the use by the Office of Disability; Mr. Allen seconded; so voted.

Old Business:

3. CSX BRIDGE RECONSTRUCTION (ROUTE 148/FISKDALE ROAD):

The Board reviewed a letter from the Historical Commission written in response to one received from MassDOT concerning the negative impact of the bridge reconstruction along the nature/bike trail, its visual impact and division the north and south sections of town.

MassDOT's most recent correspondence indicates that the Selectmen should have an update on the status of the Brookfield bridge reconstruction, one of seven in this planned project, probably late the first week in September. 25% design plans will also be available at that time and a Public Hearing will be scheduled for late in October of 2010. The project is expected to be completed by June of 2010.

The Selectmen agreed to:

- Invite the Superintendent of Schools (Tantasqua Regional School Department) to the Hearing;
- Forward letter from MassDOT to Deb Boyd at Tantasqua; and
- Mr. Heller will call Mr. Fallon at MassDOT on Thursday.

4. WORCESTER REGIONAL TRANSIT AUTHORITY (WRTA) BUS SHELTER – REPORT

Mr. Heller reported that the Board had scheduled a walk around the center of Town last Wednesday, September 1st but, due to the over 100 degree heat and the amount of time spent on the CDBG-R project walk, this was postponed. The Board will need to reschedule with Mr. Jonathan Church of the CMRPC (Central Mass Regional Planning Commission) as he had come to the meeting to represent the WRTA and had planned on walking the area with the Selectmen.

The WRTA would like to see the project completed this fall but, if the Selectmen choose the Brownfield site on Mill Street, as had been suggested, this could not be done this year.

Mr. Heller agreed to contact Mr. Church and the item will go on the agenda for Wednesday, September 15th.

5. **CDBG-R (Community Development Block Grant – Recovery) WALK ON SEPTEMBER 1 -- REPORT**

Mr. Heller reported that the Selectmen, Pioppi Construction, and the members of the CDBG Advisory Committee have been working together to make sure that when the granite curbing is put down, the residents in the affected area (Common Street, Lincoln Street and Lincoln Street Extension) all have the driveway access that meets their needs. Mr. Heller said that both the Water Department, through Bruce Clarke, Superintendent, and the Highway Department, through Herbert Chaffee (also members of the CDBG Advisory Committee) have been extremely flexible throughout this process.

The Board reviewed one sidewalk section of Lincoln Street which, if replaced, would not meet ADA codes. This is in the southerly side of Lincoln Street and in the area of St. Mary's Catholic Church. The Selectmen reviewed the situation with Pioppi Construction's engineer, Mr. Terry Smith. An ADA compliant sidewalk would force a steep driveway. Mr. Smith, Mr. Chaffee and Mr. Clarke all recommended to the Selectmen that the sidewalk not be replaced in this area. The Board voted unanimously with the provision that the resident have the option of having the Town rebuild their walkway from the curbing to the property line. The resident is responsible from the property line to their entrance. The Town will fill, grade and seed. Three residents were in favor of the Town performing this work; one didn't want the work done.

It was reported that the granite curb cuts on the northeastern corner of the Common (at the intersection of Common and Central Streets) are problematic. Lining up the curb cuts with the crosswalk is expected to be resolved tonight with a meeting of Mr. Chaffee and the Banister Common & Mall Committee. Mr. Chaffee, who Mr. Heller reported is flexible in the resolution of this matter, suggested paving the walkway so it won't look patched and removing some tree stumps in this area before the paving is done.

6. **SETTING BOARD PRIORITIES**

This was passed over for discussion on the Wednesday, September 15th agenda.

7. TAX TITLE UPDATE

According to the August 3, 2010 meeting of the Selectmen wherein the Board unanimously voted “to enter into a contract with Municipal Management Associates in Fiscal Year 2011 for tax collection, with the understanding that the Town be vigilant to ensure that spending not exceed \$10,000”, Mr. O'Connell reported that Mrs. Moores (Tax Collector) , Mr. Dunbar (Treasurer), and Mr. O’Connell had determined that the cost would be under the financial ceiling approved by the Board (which will be dependent on the number of properties turned over to MMA). Mr. O’Connell reiterated that all costs of MMA services would be passed along to the delinquent taxpayer.

Mr. O'Connell reported that the Tax Collector has sent out 91 letters to delinquent tax payers’ to-date and that following research of the Tax Collector and the Treasurer, he believed that the Board could safely assure Municipal Management Associates (MMA) that the Town had sufficient funding. There is currently about \$17,000 in the Tax Title Account and, estimating on the high side, Mrs. Moores and Mr. Dunbar had estimated this amount should be sufficient. Mr. O'Connell recommended that the Board now sign the contract. The Administrative Assistant was then directed to return the signed contract to MMA.

8. COMPENSATORY TIME POLICY

This was passed over in favor of the September 21st agenda.

9. ORDER OF CONDITIONS – 92 QUABOAG STREET

This was passed over in favor of the September 21st agenda.

10. COMPUTER REPLACEMENT

Mr. Heller reported that the Tax Collector’s computer had been replaced and that she is pleased with the increased speed. The Highway needs both a laptop and a regular computer. Other purchases are “in the works”.

11. ZONING ISSUES

The Board has begun receiving letters from various persons in favor of the work being done by Rehabilitative Resources, Inc. at Elm Hill Farm. Mr. O'Connell agreed to draft a generic reply to thank the writers and indicate that the Board does recognize the value of RRI and the Elm Hill project but also is concerned with aspects of safety, zoning, etc.

12. ANNUAL AUDIT RESULTS

Mr. O'Connell said that he is working on the Town's response to the section relative to the 2007 CDBG audit.

13. FINNEY BROWNFIELD

The Board felt that they had received encouragement from Fuss & O'Neill and Megan DiPrete of CMRPC as a result of the discussion with them, Richard & Nancy Lee Finney and Richard and David Hope at the Wednesday, September 1st meeting. Mr. O'Connell agreed to call Ms. DiPrete for the next steps on the part of the Town. The Board needs to consider possible future usage(s) of the property.

14. SPECIAL TOWN MEETING (STM)

Mr. Heller reminded everyone that the deadline for submission of articles for the 7:00 pm, October 29th STM is Tuesday, October 5th at 3:00 pm.

15. FALL/WINTER CLOSING OF TOWN HALL

Due to school starting up, the Elementary School principal has not had a chance to respond to the requested information on the availability of the school again this winter so the matter was postponed to a future agenda.

New Business:

16. RESIGNATIONS AND APPOINTMENTS

Resignation:

Mr. Heller read Full-Time Police Officer, Adam Cameron's, letter of resignation dated August 19th and indicating that his last day would be September 3rd; Mr. Heller moved to accept the resignation with regret. Mr. O'Connell seconded the motion; so voted. Officer Cameron has accepted a position in the Town of Spencer. Mr. O'Connell stated that both Officer Cameron and Officer Baird (the other full-time officer) were valuable to the Town and that Officer Cameron had made a better career move. Mr. O'Connell further said that he had enjoyed working with Officer Cameron on the Police Union negotiations and that he had asked Chief Blood to conduct an exit interview. A letter of appreciation will be sent to Officer Cameron.

Appointment:

An e-mail had been received indicating that Mrs. Lois O'Leary was interested in becoming a member of the Historical Commission. The Board agreed to hold off on this appointment until they had confirmation from Mrs. O'Leary of her interest.

17. STRAP (SMALL TOWN ROAD ASSISTANCE PROGRAM)

It was reported that Herbert Chaffee, Highway Superintendent; Lucinda Thompson, Highway Secretary; and Bruce Clarke, Water Superintendent, had worked hard on their presentation to the board who would decide upon which of the 23 towns in the Commonwealth would receive some of the \$1.5 million. They gave their PowerPoint® presentation before the board on Monday, August 30th in Boston. They had a maximum of one hour for the presentation and a question and answer session. They have volunteered to give the presentation again to the Selectmen and the public. Mr. Heller will talk with Herb and Cindy about taping the presentation for the local cable network.

18. SELECTMEN'S MEETING SCHEDULE FOR THE LAST QUARTER OF 2010

The Board on the following meeting schedule:

Tuesday evenings, starting at 6:30 pm: 10/5, 10/19, 11/13, 11/16, 11/30; 12/14

Wednesday mornings, starting at 9:00 am: 10/13 10/27; 11/10; 12/8, 12/22

No meeting scheduled for November 24th or December 28th.

Correspondence:

19. THANK YOU LETTER

A thank you letter was received from the Tri-Community YMCA for the emergency use of the South Pond beach and swimming area for lessons. This letter will be forwarded to the Recreation Committee.

20. TOWN OF LOWELL

At the Board's August 18th meeting, they reviewed a request from the City of Lowell that Brookfield adopt their plan as home rule and petition the legislature. This was passed over to this agenda but it was determined that the deadline was passed and no action was now necessary.

Other:

21. NOTICE OF SETTLEMENT

The Town received notice of a class action suit settlement against CVS pharmacy that will result in the Town receiving about \$2200. No action is necessary.

22. REQUEST FOR LETTER OF SUPPORT

The Town of East Brookfield has requested a letter of support in their STRAP grant request for funding for bridge repair in their community. Even though their request for STRAP funding is in competition with Brookfield's own application, it was agreed to send the letter which Mr. Allen will write.

23. LAKE STREET SAW MILL DAM REPORT

Mr. Heller said that he had spoken with another engineer who has agreed to review the Fuss & O'Neill report and give his personal recommendation.

24. BROADBAND IN MASSACHUSETTS

Mr. Heller announced that he has signed up for the meeting and plans to attend.

25. NEW PLAYGROUND EQUIPMENT AT THE ELEMENTARY SCHOOL

Mr. O'Connell suggested sending a congratulatory letter to the Parent Teacher's Organization, the School Committee and the Highway for their work and successful completion of this project.

26. SIGN AT ELEMENTARY SCHOOL

Mr. Allen said that he thought that the sign in front of the Elementary School should be used "in a more comprehensive way". Mr. O'Connell moved to allow Barbara Wilson, School Committee member, to speak; Mr. Allen seconded; so voted. Mrs. Wilson agreed with Mr. Allen and said she would speak to the school principal about this. She also said that the old playground equipment was saved and it was the intent to re-install it.

27. "NEW" HIGHWAY TRUCK

The 10 wheel highway truck that the Board authorized the purchase of has now been delivered to town; it is insured and registered.

28. NEW POLICE CRUISER

The replacement cruiser for the new one that was "totaled" in the June 21st motor vehicle accident has now been delivered to the Town. It is also insured and registered and in use. The Administrative Assistant said that one check had been received from the insurance company but the actual invoice and a check for the balance may not be received from the second insurer for awhile, thus an article will be needed for the October 29th STM to complete the funding.

29. CORRESPONDENCE FROM THE KEATON FAMILY

This was postponed until the Board's next meeting.

30. PERSONNEL MATTERS FOR STM ARTICLES

Mr. Heller asked that the Personnel Board schedule a meeting within the next week or two and that he would attend.

Public Access Period:

Mr. David Holdcraft stated that the Selectmen didn't talk to him about his Lincoln Street property's driveway cut and it was explained that they only spoke with the property owners of the south side of the street as that was where the problem was.

Mr. Holdcraft then accused the Local Cable Access Committee of "censorship" of the tapes of the Selectmen's meetings. He had compared his personal taping with what was aired. The Selectmen recommended he talk with the Committee that did the taping.

Ms Sharon Mahoney, who was present to tape this meeting and who also is the Chairman of the public access committee thanked Mr. Holdcraft for the advance warning of what he would speak about tonight via his comments on his yellow sign and his confrontation of her with no witnesses prior to the start of this meeting. She said that if he or anyone had any non-confrontational, constructive comments for the committee they were welcome but she would not dignify his censorship comments with a response.

ADJOURNMENT:

As there was no further business before the Board, Mr. Allen moved to adjourn at 9:03 pm; Mr. O'Connell seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: _____