

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

MINUTES OF OCTOBER 14, 2010

SPECIAL SESSION

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

Camera Operator: Sharon Mahoney

Press: Jennifer Grybowski

Public: Gerald Johnson, Arthur Jay, Herbert Chaffee

Agenda Items:

1. SIDEWALK PLOWING

Arthur Jay came before the Board representing the Cemetery Commission. Highway Superintendent Chaffee was also present. Mr. Jay reported that the Commissioners were unanimous in their decision to loan their tractor and equipment to the Highway Department during the winter only for use in blowing snow off Village sidewalks as long as a qualified person runs it, it is parked/stored at the highway barn, and that the Highway personnel would be responsible for any maintenance.

Mr. Chaffee said that the Highway Department would need to purchase a snow blower and a cab, which would cost just under \$9500 if purchased new. Mr. Chaffee thought he might be able to find a used cab for about \$1500 and he will see if he can locate a small power angle plow to be attached to the Cemetery's tractor. Eventually, Mr. Chaffee proposes to purchase a new tractor with six attachments (snow blower, sweeper, etc) with an estimated cost of \$28,500. He would trade in the Bombardier and the Aries lawn mower toward the purchase.

Mr. Chaffee the purchase of the cab and snow blower was "an Annual Town Meeting issue" but he wanted to alert the Board to the cooperative effort with the Cemetery Commissioners and to the need to budget money for FY12. He will do further research for the 2011 Annual Town Meeting.

2. PRIVATE WAYS

Herb Chaffee reported having driven all of the private roads that the Town plowed last winter and found them to be in fair condition which makes them eligible for

plowing this winter. The Board will take a formal vote on which private ways to plow in an upcoming meeting.

3. APPOINT ELECTION WORKER

Pursuant to the request of Michael Seery, Town Clerk, Mr. Allen moved and Mr. O'Connell seconded a motion to appoint Mr. Devin Makowski as an Election Worker with a term to expire on June 30, 2011.

4. SIGN WARRANT FOR STATE ELECTION

The Town Clerk submitted the warrant for the State Election to be held on Tuesday, November 2, 2011. Mr. Allen moved to sign the Warrant for the State Election; Mr. O'Connell seconded; so voted.

At 9:30 Mr. Heller asked for a recess because he had an appointment to speak with Town Counsel regarding the Articles on the Warrant; Mr. Allen so moved; Mr. O'Connell seconded; so voted. The meeting was reconvened at 9:57 am.

5. WARRANT FOR SPECIAL TOWN MEETING

All of the below articles had previously been approved for placement on the warrant except where noted. The Board authorized Chairman Heller and the Administrative Assistant to put the articles in sequence with the suggestion that the monetary articles should be first on the warrant, followed by the by-laws and the initiative petition. The below numbering of articles is from the Draft and will not correspond to the numbers on the final warrant.

Articles 1 – 4: These are “late bill” articles. Mr. Allen moved to recommend the articles to the voters; Mr. O'Connell seconded; so voted.

Article 5: “Farm By-Law”. Mr. O'Connell moved and Mr. Allen seconded that the Board would not give a recommendation on this by-law at this time; so voted.

Article 6: “Tax Amnesty”. Mr. Heller entertained a motion to take Town Counsel’s recommendation and delete the final sentence in Section 4, C, 1; Mr. O'Connell so moved; Mr. Allen seconded; so voted. Mr. O'Connell moved and Mr. Allen seconded that the Board not give a recommendation on this by-law at this time; so voted.

Article 7: “School Transportation”. Mr. O'Connell moved and Mr. Allen seconded to recommend this article to the voters; so voted.

Article 8: “Library”. Mr. O'Connell moved and Mr. Allen seconded that the Board would not give a recommendation on this by-law at this time; so voted.

Article 9: “Computer Maintenance”. Mr. O'Connell moved and Mr. Allen seconded to recommend this article to the voters; so voted.

Article 10: “Job Description – Municipal Clerks”. After discussion, Mr. O'Connell moved and Mr. Allen seconded a motion to support this article; so voted.

Article 11: “Funding for Municipal Clerk”. The Selectmen will determine their recommendation at a later time.

Article 12: Mr. O'Connell moved to recommend this article to the voters; Mr. Allen seconded; so voted.

Article 13: "Possible increase in wages". Mr. O'Connell moved to authorize Chairman Heller to meet with the current Administrative Assistant to come up with a recommended change in pay; Mr. Allen seconded reminding everyone that the change should not be for the individual but for the position; so voted.

Article 14: "Purchase of Prouty Street property". Mr. O'Connell moved to accept the Town Counsel's wording of this article and to support it at Town Meeting; Mr. Allen seconded; so voted. Mr. O'Connell volunteered to work with the Treasurer to come up with alternatives for paying for the property.

Article 15: "Police Cruiser". Mr. O'Connell moved to accept this article as revised by Town Counsel and to support it with the voters; Mr. Allen seconded; so voted. This article combines two that were on the draft warrant – accepting the insurance check and authorizing the payment of the balance due.

Article 16: "Highway Department payroll transfer "to cover the work that the Highway Superintendent would normally do until he receives permission to return to full duty work after having shoulder surgery. Mr. O'Connell moved to include and support this article; Mr. Allen seconded; so voted. Mr. Allen will check with the Highway Superintendent to confirm the numbers for the Motion to be made at the Meeting.

Article 17: "Town Hall Roof". No action was taken relative to a recommendation at this time until the Board receives a report from the Town Counsel and the Engineer hired to determine the cause of slates falling from the roof and the costs for repairing it.

Article 18: "Unemployment Account". Mr. Allen moved to recommend this article to the voters; Mr. O'Connell seconded. The amount to be recommended is \$15,000.

Article 19: "Additional funding for the Treasurer/Tax Collector's Tax Title Account". Mr. Allen moved to recommend this article to the voters; Mr. O'Connell seconded. The amount to be recommended is \$5,000.

Article 20: "Additional funding for the Legal Expense Account". Mr. Heller will ask Town Counsel for an estimate. A vote as to recommendation will be taken after Mr. Heller completes his research with Town Counsel.

Article 21: "Additional funding for the Veteran's Case Worker Account". Mr. O'Connell moved to support this Article at the Town Meeting; Mr. Allen seconded; so voted.

Article 22: "Elementary School loan pay off – vote correction". Mr. O'Connell moved to accept the Town Counsel's recommendation to combine these two articles (maturing debt and maturing interest) into one article and to support it at Town meeting; Mr. Allen seconded; so voted. Mr. O'Connell will get more information and a better understanding prior to the meeting.

Article 23: "Transfer from Police Full-Time to Police Part-Time Wages Account". Mr. O'Connell moved to support this article; Mr. Allen seconded; so voted. The amount to be transferred is expected to be \$20,000 and is needed because of the part-time police officers filling shifts while the staffing is down two full-time officers.

Article 24: "Initiative Petition". Mr. Allen moved to not support this article although it has to be place on the warrant; Mr. O'Connell seconded; so voted.

Articles 25 & 26: “Add to Stabilization”, “Reduce the Tax Levy”. The Board agreed that they could not make a recommendation on either article at this time and agreed that the comment “2/3rds vote” should be removed from Article 25 as a 2/3 votes is required only when transferring funds from Stabilization.

Article 27: “Police Chief Salary Account”. This is a new article and was proposed by Mr. O'Connell. In order for this to be considered, the warrant has to be re-opened. Mr. O'Connell so moved; Mr. Allen seconded; so voted. Mr. O'Connell moved to include the following article: “To see if the Town will vote an additional sum of money for the salary of the Brookfield Police Chief, or take any action relative thereto; “Mr. Allen seconded; so voted.

Article 28: “Funding for Human Resource – Inter-municipal Agreement”. Mr. Heller asked if the Board felt this should be included in this warrant or not. The Board agreed that they didn't have enough information at this time. Mr. Allen moved to close the warrant; Mr. O'Connell seconded; so voted.

A joint meeting with the Advisory Committee and prior to the Special Town Meeting was then discussed with Mr. Johnson. Mr. O'Connell moved to hold said joint meeting on Tuesday, October 26th at 7:00 pm (as part of the already posted informational meeting), contingent upon Mr. Johnson getting the approval of his committee. The Administrative Assistant will post the meeting for both groups.

6. QUESTIONS FROM ADMINISTRATIVE ASSISTANT

- a) **Employee Breaks**: Ms. Neylon, Administrative Assistant, said that over the past nearly seven years she has work for the Town of Brookfield, she has urged each Board of Selectmen to initiate a policy regarding employee breaks. She said that they are excessive by certain employees and cited, as an example, Thursday, October 7th when two employees who were scheduled to leave at 3:00 pm left the building at 2:35 pm for a break and were out at least 20 minutes. When it was mentioned that this matter should be “researched further” and “put on a future agenda”, Ms. Neylon insisted that it be discussed somewhat at this meeting and she said that she wanted it known that this was brought up by her and not one of the Selectmen; that she would take the blame or the credit for this subject being discussed. Mr. O'Connell encouraged a compromise of bringing this up with other personnel matters at a future meeting with all of the personnel and all agreed. He said that he understood that if an employee worked 6 or more hours, they were entitled to two breaks, not including their ½ hour lunch break. Mr. O'Connell will set up this meeting and invite all employees that the Selectmen supervise. A meeting was tentatively set for 9:30 am on Tuesday, November 9th.

At about 11:30 Am, Mr. Heller entertained a motion to enter into Executive Session under the below listed exemption and return to open session; Mr. Allen so moved; Mr. O'Connell seconded; so voted with Mr. Allen voting aye; Mr. Heller voting aye and Mr. O'Connell voting aye:

Exception Two - "to discuss strategy with respect to litigation if an open meeting would have a detrimental effect on the government's litigating position"

The Board returned from Executive Session about 11:54 am and continued with the items under #6 above and Mr. Allen left the meeting at 12 noon.

6. QUESTIONS FROM ADMINISTRATIVE ASSISTANT, continued

- b) Police Cruiser – Power Steering:** Ms. Neylon reminded the Board that she had not yet advertised the sale of the cruiser that was taken off the road last December. She said she has learned that the power steering and transmission are both faulty and suggested that the Board grant permission to “junk” the car rather than go through the advertising and bid process. It was agreed that she would look into the procurement process for “junking” a vehicle and get back to the Board.
- c) CORI Certification:** The Board had asked Ms. Neylon to check into CORI Certification after it was learned that a member of the Board should be CORI Certified before the Board can review any CORI documents. Apparently, this involves a two-day course. Mr. Heller said that he would look into this further and report back.
- d) Change Selectmen’s Meeting the first week of November from the 3rd to the 4th:** After some discussion, the meeting date was left as November 3rd; this meeting will begin at 6:30 pm at the Elementary School.
- e) Audit Reports:** The three audit reports have been received from the auditor. It was agreed that each Selectman would review those documents themselves before this would be placed on the agenda. The auditor recommended that the Board meet individually with the departments mentioned rather than have a full Board meeting as done in the past. This will be on the October 27th agenda.
- f) Saw Mill Pond Report:** The report has been received and the Board has taken no action on this. They must review it and sign it before Fuss & O’Neill can return it to the State. The deadline for submission is the end of December. This will be on the November 10th agenda and the Highway Superintendent will be invited to attend the discussion.
- g) Computer for Highway:** The Board had previously discussed giving the old computer used by the Tax Collector to the Highway Department for their use. They had requested that computer and a laptop. Ms. Neylon said that the Collector has had the new computer for about two months now and she asked permission to have the old one “cleaned” (erase certain information and re-install operating system) to be prepared for the Highway Department. She had a quote of \$220 for this purpose. It was agreed that this would be handled under the authority given Mr. Heller to purchase/replace/update computers.
- h) Police Chief’s Computer:** It was agreed that this would also come under Mr. Heller’s prior-given authority. The hard drive can be removed and returned to the Evidence Locker and a new hard drive inserted so that the computer can be returned to use by the Police Department.

Other:

7. **TAX TITLE UPDATE**

Mr. O'Connell reported that the Tax Collector had provided the requested report giving the status of the tax title properties under her prevue. He will work with the Collector to come up with an estimate of what the Town will forgo in revenue should the Tax Amnesty article pass at the Special Town Meeting.

8. **LETTER FROM TOWN CLERK**

A letter was received from the Town Clerk during this meeting. It related to the appointments of the current Tax Collector and recommended that the Board seek the consultation of Town Counsel. Mr. O'Connell moved that Mr. Heller should follow up with Counsel; Mr. Allen seconded; so voted.

ADJOURNMENT:

As there was no further business before the Board, Mr. O'Connell moved to adjourn at 12:15 pm; Mr. Heller seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: _____