

**Town of Brookfield  
Selectmen's Agenda  
Town Hall, Selectmen's Office  
Tuesday, June 7, 2011 - 9:00 am**

Chairman Peter O'Connell called the meeting to order at 9:00 am. Other members present: Rudy Heller and Stephen J. Comtois II.

**Camera Operator:** James Sniffen  
**Press:** None  
**Public:** Police Chief Michael Blanchard, Fire Chief Peter Martell, Michael Seery, Betty Benoit

*NOTE: The information below is in the order of the posted agenda but some items were taken out of order during the actual meeting.*

**Agenda:**

- 1. REVIEW OF EMERGENCY RESPONSE DURING JUNE 1 TORNADO**  
BEMA Chief, Keith Karmann was unable to attend due to health reasons.

Chief Blanchard reported that he believed there was a need for better communications with the mobile home parks. He said that Officer Jason White has spoken with the management of each about setting up one contact person for each park who would be contacted in a time of emergency such as the tornado threat of June 1<sup>st</sup>.

The elementary school was opened as a shelter two times on June 1<sup>st</sup> but not a lot of people from the parks took advantage of the shelter.

Chief Martell said that Mr. Karmann had checked out the school and told people that it was also okay to use the Town Hall as an emergency shelter as it was a Wednesday evening and it was already closed for official business.

The tornado "watch" began about 1 pm on Wednesday but there was less than 10 minutes to initiate the Reverse 911. However, there had been plenty of warnings on radio and television throughout the morning and early afternoon. There was a great uncertainty of the path of the storm but Brookfield had plenty of police and fire personnel on standby.

Chief Martell said that there should be more opportunities for residents to learn what to do in case of future such emergencies and they have some programs already begun including a display in the Town Hall lobby. Everyone should have a "go" bag. He reported a few instances of power outage on Rice Corner Road but very little damage to Brookfield property and lightening had caused some damage of the cable television programs at the elementary school.

The Fire Department sent resources including several vehicles and personnel to Brimfield; they and Brookfield's EMS were on site from 6:30 pm to about 12:30 am. They used alternate radio frequencies to help prevent communication problems.

The local Police, Fire, EMS, and BEMA were well-coordinated and internally did well.

Chief Blanchard reiterated the need to get information to the mobile home parks and Chief Martell asked about bringing the School Committee and Elementary School Principal onto the emergency planning team.

Chairman O'Connell reported that the Chiefs all kept him informed all throughout the storm and he gave them compliments for the town's protection and what they and their departments did for the neighboring communities.

## **2. POLICE CHIEF'S END-OF-PROBATION PERFORMANCE REVIEW**

Mr. O'Connell announced that Police Chief Michael Blanchard had reached the end of his six month probationary period and had achieved all five goals that the Board had set for him. Mr. O'Connell reported having spoken with other town employees and Police Chiefs of neighboring communities and had incorporated some of their comments in to the six-month review. All comments were positive. One Chief said that he had noticed a "more professional bearing of the troops".

Ms. Neylon was asked to read her recent e-mail to the Board which was relative to Chief Blanchard's review: "I would like you to know about a couple of conversations that I overheard here in the Town Hall after the tornado. In each conversation, someone asked another employee if they had heard Chief Blanchard on the radio talking about Brookfield and the lack of known storm damage at that time. In both of the conversations that I overhead, the comments were made that they were proud of the way he responded to the reporter and were proud to be associated with Chief Blanchard! He made Brookfield look good!"

Mr. O'Connell entertained a motion to approve Chief Blanchard's evaluation and conclude his six month probationary period; Mr. Comtois so moved; Mr. Heller seconded; so voted.

## **3. FY 11 BUDGET TURN BACKS & MUNICIPAL RELIEF TRANSFERS & RESERVE FUND REQUESTS**

Turn backs: The Police Department reported that they expect to be able to turn back about \$20,000 and, according to Michael Seery, the Board of Health expects to turn back about \$15,000. The Highway Department will turn back about \$45,000 among several accounts. About \$37,650 is needed to cover deficits in fiscal year 2011.

The Selectmen discussed two articles on the Annual Town Meeting Warrant (ATM) relative to putting free cash into Stabilization and/or into reducing the tax rate. The Board agreed to put half of whatever the amount turns out to be into reducing the tax rate and into Stabilization.

Municipal Relief Transfers: There was only one for the Board to review at this time; it was from the Police Department to pay one of the officers a one-time stipend of \$1,000 for Certification. Mr. Comtois moved to approve the Municipal Relief Transfer; Mr. Heller seconded; so voted.

**4. FY 12 REVENUE ESTIMATES – BETTY BENOIT**

A report indicating revenue estimates for fiscal year 2012 was passed out for the Selectmen's information. The report indicated that estimated local receipts would be about \$730,000. A copy is attached to the minutes.

**5. FY12 BUDGET REVIEW AND ISSUE WITH FIRE DEPT. BUDGET**

Mr. O'Connell reported a "snafu" in the budgeting which was pointed out to him by Fire Chief Martell. One of his line item budgets had not been funded per his request (\$7,000) and so Mr. O'Connell entertained a motion to support a \$7,000 increase in this line item (Asset Repair Replacement) on the floor of the ATM which is level funded from the previous year; Mr. Heller so moved; Mr. Comtois seconded; so voted. Mr. O'Connell will notify the voters of this change at the beginning of the meeting so that no additional motion will be necessary.

**6. SPECIAL AND ANNUAL TOWN MEETING UPDATES:**

a. Addition of "Balsiunas" Article (#36) for ATM

There is a .28 acre piece of property listed in the Assessor's records as 16 Hobbs Avenue and this piece has been in the tax title process for awhile. The owner, a resident of Maryland, has passed away and her heirs contacted the Town regarding gifting the property to the Town after all taxes are paid.

Mr. O'Connell explained that this article needed to be added to the Warrant and Town Counsel and the Town Clerk had confirmed that this can be done. Because the property owner's estate is under the primary control of the laws of the State of Maryland and the estate is expected to complete Probate by August, it was imperative that this article be added so that it would not hold up the estate settlement.

Mr. O'Connell entertained a motion to re-open the Warrant for the purpose of adding Article 36 which would ask the people to accept the gift of 16 Hobbs Avenue property and to immediately close and re-post the Warrant; Mr. Comtois so moved; Mr. Heller seconded; so voted.

b. Review of Motions

The Board agreed that Mr. O'Connell would make the motions for Articles 1, 10, 13, 14, 19 through 22, 29, 31, 32, 33, and 36 and that he would also make all of the motions at the Special Town Meeting. Mr. Heller would make the motions for articles 2, 11, 15 through 17, 23 and 24, 27 and 30 and Mr. Comtois would make the motions for Articles 3 through 9, 12, 18, 25 and 26, 28 and 35.

Sources of funding in the motions will be determined by Chairman O'Connell and Ms. Neylon. At this time, it is believed that Article 18, Tantasqua Junior High School roof may be passed over but Ms. Neylon will check; she will also check to see if the Highway Department has learned anything about the possibility of a grant, which if received, would mean that the Town could pass over the article to fund the cover for the salt shed located at 56 Mill Street.

b. Review of Pat Cantor's recommendations on the by-laws

Town Counsel, Patricia Cantor, has been working with the Town Clerk on the format for the formal presentation of the By-Law Committee's article which would present to the voters certain changes to the by-laws that would correct some wording and insure that the by-laws are legal. There is some uncertainty as to whether some of the by-laws during the past 20 years were approved by the Attorney General's office and/or posted accordingly. It was agreed that this motion would be made by Town Clerk, Michael Seery who would field questions from the floor and also ensure that all voters have a copy of the motion for their review prior to the vote.

d. BOH approval of the solar article to include the BOS in overseeing the capped landfill.

Mr. Seery reported that the Board of Health had voted to support Article 30 which was relative to the shared authority of the transfer station should a solar powered facility be built there.

7. **FACILITIES PLANNING COMMITTEE AND TOWN HALL ROOF & BARRIER REMOVAL PROJECT AND REPORT ON CONVERSATION WITH ROBERT DOUGAN ABOUT ADA COMPLIANCE**

Facilities Planning Committee:

Members discussed the formation of a committee that would look at the inclusion of a Police Station within the Town Hall renovation project and look at how to proceed. They also discussed ways to include other groups within the community so that they would "buy into" the project and help in various ways.

Mr. Comtois said that he didn't think a Barrier Removal committee was needed; it should be called a Facility Planning Committee. Mr. Heller said the former committee was called a Barrier Removal Committee because that would aid in going after certain grant funds such as CDBG (Community Development Block Grant).

Mr. O'Connell presented his draft Charge which suggested that the new committee first review previous reports that the Town had paid for (J. Stewart Roberts, Chenot, and Allen Lieb). The purpose of the group would be to re-visit municipal facilities and focus the services in one place (Town Hall property). His Charge also asked for a report within 6 to 8 months and would have seven members of which five would be a quorum.

The Board agreed to review the proposed Charge and to request that all persons interested in being on this committee have their letter of intent submitted by 6:30 by July 8<sup>th</sup> so that the committee may be filled at the July 12<sup>th</sup> meeting.

During this discussion, the Board agreed to not hold a meeting on June 21<sup>st</sup>. The next meetings will be June 14 and 28 and no meeting on July 5<sup>th</sup>.

Mr. Comtois moved to adopt the Charge as edited; Mr. Heller seconded; so voted.

Since the Charge includes the grant writer/consultant, William (Bill) Scanlan, as an ex-officio member, we will need to find out if he will serve and if he will charge.

#### Town Hall Roof:

Mr. Comtois reported that he had not yet spoken with the engineer/architect, Susan Knack-Brown but felt much of the repairs are "common sense". From his review of the files, he learned that:

- It is understood that the mason has already replaced about 100 slates;
- Some of the slates were originally installed too tightly;
- We have no legal options against the installer as he is out of business;
- The Contractor did what he was supposed to do and made the appropriate inspections;
- There may be some other slate that may come down;
- There should be an annual or semi-annual inspection for cracked slate (contractor originally told us this should be done every 10 years);

Mr. Comtois recommended to the Board that "they" take care of the slate matter. Ms. Neylon suggested that before the Board make any decisions, that Mr. Comtois speak with the Building Inspector and insurance carrier as there may be liabilities involved in certain actions that the Board could make.

It was agreed that Mr. Comtois would speak with Mr. Taylor, Building Inspector, Chris Cote of C&C Masonry, and Susan Knack-Brown and then give the Board his recommendation. Ms. Neylon will contact the STAM group (Small Town Administrators of Massachusetts) to see if any of them had any problems with slate roofs and their solutions.

Town Hall Barrier Removal Project & ADA Compliance:

There is nothing to report at this time regarding the bathroom upgrades.

**8. SAW MILL POND DAM REPORT AND LETTER TO BE SENT**

Mr. Heller gave a slide show presentation which showed clearly the problems at this site including sink holes, unwanted trees and brush and walls that should be repaired or replaced. He reported having spoken generally with Mr. Chaffee, Highway Superintendent, who expressed his willingness to do whatever work he could but not until his current roadwork project is completed. This could be the fall.

Mr. Heller requested the Board's permission to consult with an expert (at no cost to the Town) to get an estimate of the costs. Mr. O'Connell entertained a motion to authorize Mr. Heller to review the report with any expert that would help at no cost and to draft a letter to the Office of Dam Safety for the next meeting; Mr. Comtois so moved; Mr. Heller seconded; so voted.

**9. DHCD MEETING RESULTS**

In preparation for a requested meeting with the Department of Housing and Community Development (DHCD) to counter their recent decision to amend the contract that the Town has with the State for the Common and Lincoln Street and Lincoln Street Extension road and drainage project, Mr. O'Connell held a meeting recently with Herbert Chaffee, Highway Superintendent, Louise (Betty) Benoit, Town Accountant, Bruce Clarke, Water Department Superintendent, William (Bill) Scanlan, grant writer/contract administrator and Donna Neylon, Administrative Assistant. The situation was reviewed and it was agreed that Mr. O'Connell would continue to work with Senator Brewer's office to set up the meeting. The meeting would be in Boston and it was agreed that Bill Scanlan, Bruce Clarke and Mr. O'Connell would attend.

**10. REQUEST TO USE TOWN COUNSEL – CEMETERY COMMISSIONERS**

Two requests to use Counsel were received from the Cemetery Commissioners:

- 1) The independent contractor hired for the stone masonry work to the Cemetery gate a couple of years ago (Dario Fiorentini) has asked (and received various extensions on this project). Now he asks to be released from his contract because of illness. The Commissioners are concerned because he has been partially paid at this point.

The Selectmen request that the Commissioners attempt to resolve the matter with Mr. Fiorentini and then come back to the Selectmen if they are not able to come to a resolution.

- 2) The Commissioners have been approached to sell certain grave lots that are in the historic section of the cemetery and were originally sold more than 75 years ago. These lots have not been used. State law MGL Chapter 114, Section 10A indicates that lots that have been unused for 75 years or more may be re-sold but not until there has been a “diligent search” for the owners or their heirs. The Selectmen agreed to ask the Commissioners to conduct and document a diligent search before they attempt to re-sell any of these lots; permission to use Town Counsel was denied.

**11. WAGE AUTHORIZATION FORM – ASSESSOR**

A Wage Authorization Form (WAF) was submitted by the Assessors so that their newest member, jointly appointed by the Selectmen and the Assessors may be paid for her work during May and June. Her pay for fiscal year 2012 will be controlled by Town Meeting vote on June 10<sup>th</sup>.

Mr. O’Connell entertained a motion to approve the WAF for Marlaine Burbank to be paid at the pro-rate of \$1,241.33 per month; Mr. Comtois so moved; Mr. Heller seconded; so voted.

**12. SIGN VADAR SYSTEMS CONTRACT**

This contract was negotiated by Louise (Betty) Benoit, Town Accountant and will cover the VADAR program that she uses (one application) and 5 licenses. The question was asked if the Assessors would have access to this program but the response was no because there was only one application. Mr. O’Connell entertained a motion to approve and sign the contract with VADAR; Mr. Heller so moved; Mr. Comtois seconded; so voted.

**13. INTER-MUNICIPAL AGREEMENT FOR PURCHASING SERVICES**

Mr. O’Connell entertained a motion to renew the contracts for office and cleaning supplies for the next fiscal year and through the Regional Selectmen’s group and to pay the \$500 to the Town of West Brookfield for administering the contracts; Mr. Comtois so moved; Mr. Heller seconded; so voted.

*Correspondence:*

**14. STAM MEETING ON JUNE 23<sup>RD</sup>**

Ms. Neylon requested permission to attend the June 23<sup>rd</sup> meeting of the STAM group which will be held in West Brookfield; she also asked if the Selectmen would want the Treasurer to also attend. The Board gave Ms. Neylon permission to attend but agreed that Sheila Frangiamore, Treasurer, would not attend.

At this time, Mr. Heller pointed out an 8:00 am meeting to be held on Wednesday, June 15<sup>th</sup> in Southbridge at Harrington Hospital; the subject is medical insurance. He planned to attend and it was agreed that Ms. Frangiamore would attend with him.

**15. K&P'S ANNUAL JUNE BILLING LETTER**

Kopelman & Paige's (K&P) annual correspondence requesting the Board to decide how they want their June invoice billed was received and reviewed. The Board agreed to request the entire June invoice be received the first week of July.

*Other:*

**16. SOUTH POND BEACH**

Mr. Heller announced that the Recreation Committee is actively soliciting volunteers to help clean the beach area, take water tests to Worcester, etc. The group will be meeting at the beach at 7:00 am on Saturday, June 18<sup>th</sup>.

**ADJOURNMENT:**

At 12:05 pm, Mr. O'Connell entertained a motion to enter into Executive Session citing (and reading aloud) six (purchase, sale, etc. of real property) and to return to open session for the sole purpose to adjourn; Mr. Comtois so moved; Mr. Heller seconded; so voted with Mr. Comtois voting aye; Mr. Heller voting aye; and Mr. O'Connell voting aye.

Mr. Comtois moved to adjourn at 12:26 pm; Mr. Heller seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Approved: \_\_\_\_\_