

**Town of Brookfield
Selectmen's Agenda
Town Hall, Banquet Room
Tuesday, September 27, 2011 - 6:30 pm**

Chairman Peter O'Connell called the meeting to order at 6:30 pm and led the group in the Pledge of Allegiance.

Camera Operator: Sharon Mahoney
Press: Karen Trainor, Jennifer Grybowski
Public: Barbara Wilson, John David Holdcraft

Note: The minutes of this meeting reflect the order of the printed agenda NOT the order of the actual meeting.

APPROVAL OF WARRANTS:

Mr. O'Connell entertained a motion to approve the Expense Warrant as listed in the agenda; Mr. Heller so moved; Mr. Comtois seconded; so voted.

RATIFY PAYROLL WARRANT for 9/20/11: \$175, 191.43
RATIFY PREPAID WARRANT for 9/22/11: \$800.00
APPROVE EXPENSE WARRANT for 9/27/11: \$380,104.28

APPROVAL OF SELECTMEN'S MINUTES:

Mr. Comtois moved to approve the minutes of 9/13/2011 as edited; Mr. Heller seconded; so voted.

MONTHLY REPORTS & MINUTES OF OTHER DEPARTMENTS:

Mr. Heller move to acknowledge receipt of the below-listed monthly reports and minutes; Mr. Comtois seconded; so voted.

Municipal Facilities Planning Committee: 8/01/2011
Zoning Board of Appeals: 7/20/2011; 8/08/2011
Conservation Commission: 7/19/2011; 8/16/2011
Agricultural Commission: 8/17/2011

Chairman O'Connell noted that there were some departments that had not submitted monthly reports recently and asked to have these departments reminded. Further, he asked the Administrative Assistant to request a monthly report from the Tax Collector.

ANNOUNCEMENTS:

Mr. O'Connell read aloud the announcements as printed in the agenda. Included in the announcements was a reminder of the CDBG Public Hearing to be held at 7:15 pm as part of the October 11th Selectmen's meeting to review the CDS (Community Development Strategy) and a reminder of the November 18, 2011 Special Town Meeting and its relating deadlines.

PUBLIC ACCESS:

Barbara Wilson: Asked when the public hearing on the mosquito control is scheduled and if there would be an article for this on the Warrant for the 11/18/11 Special Town Meeting. She said that if the Selectmen would not have the article on the warrant, she would initiate a petition to have it placed there.

Agenda:

1. 7:00 TREASURER SHEILA FRANGIAMORE – COMPLETION OF PROBATIONARY PERIOD

Mr. O'Connell reported that Ms. Frangiamore had completed her three month probationary period. He reviewed the five objectives that the Board had set for her and explained how each had been accomplished. These objectives included extensive tax title work that included working with the delinquents, developing a written payment plan, foreclosures. She has also taken an active role on several town committees. Many other items had also been accomplished in the day-to-day work of Ms. Frangiamore that had not been listed in the objectives. One such item included working with a former employee regarding uncollected health insurance premiums and dealing with the Unemployment Claim Office to dispute a particular claim.

In the question/answer period afterward, Mr. Heller noted that he knew that Ms. Frangiamore worked far more than the 24 hour week that was agreed upon and felt her hours should be increased to 30 or 40. He asked if her clerking hours were sufficient and she replied that they had been reduced at the Annual Town Meeting and the reduction was not to her department's advantage. She volunteered to submit a quarterly progress report if the Board wanted it.

Mr. O'Connell entertained a motion to acknowledge the successful completion of the three month probationary period and compliment her on her performance; Mr. Heller so moved; Mr. Comtois seconded; so voted.

In the matter of the unemployment dispute, it was agreed that Mr. O'Connell would contact Senator Brewer and Representative Gobi for their help. When/if this claim is successfully disputed and won by the Town about \$10,000 would be freed up for other uses.

Due the recalculations by Ms. Frangiamore, about \$16,000 that had been appropriated for health insurance premiums has now been freed up for re-appropriation. Paychecks now include additional information for the employee including the remaining time due the employee (personal, vacation, sick).

Various items mentioned in the DOR's (Department of Revenue) Management Review have also been accomplished by Ms. Frangiamore.

Mr. Heller asked if Ms. Frangiamore felt it was now time to move forward with initiating on-line bill payment. She agreed that this should be done "sooner, rather than later" and that she and the Tax Collector were ready to initiate this if there is a vote from the Selectmen for them to proceed.

At the conclusion, Ms. Frangiamore stated that she felt the Financial Team Meetings had been every effective and informative. She felt that they helped to build moral and teamwork and would like to see the meetings continue.

2. DISPOSITION OF THE COOLEY HILL PROPERTY

Mr. O'Connell said that the Board had made a site visit with the Water Commissioners and had learned that the site no longer has any historical significance as the reservoir was built over the military road.

The Chairman said that upon a review of the Chapter 30B process for municipalities selling property, because of the assessed low value of the property (\$1,400/acre) (under \$25,000), no Request for Proposal is needed.

Mr. Heller moved that the Board of Selectmen request from the voters of the November 18, 2011 Special Town Meeting approval for the disposal of the Cooley Hill property at such terms and conditions to be arranged by the Board to proposed buyers to include state conservation agencies or private non-profit conservation agencies whose mission is to consider open space and public land for the public enjoyment; Mr. O'Connell seconded; so voted. This motion was unanimously amended (motion by Mr. Heller, second by Mr. O'Connell) to include the words "not to be developed in perpetuity".

During the discussion, Mr. Heller said that the potential liability of the dam at the former reservoir is so much greater than its value. Mr. Comtois wanted conditions put upon the sale to ensure that the public could continue to use the land for recreational purposes (i.e. hunting, fishing, hiking, etc.). Mr. O'Connell was also concerned about liability and noted that this land is not posted, is not patrolled and that the Water Commissioners had recommended disposal of this land as soon as possible because of the condition of the dam and the work of the beavers there.

3. **REPORTS & RECOMMENDATIONS**

a. **Regional Selectmen's Meeting and Meeting of Highway Superintendents – R. Heller**

Mr. Heller reported that at the recent meeting of the regional selectmen's group, he had met Mr. John (Jack) Dolan who is the attorney from Kopelman & Paige that will be the lead attorney in the new inter-municipal agreement signed/to be signed by the Towns of Brookfield, Warren, West Brookfield and North Brookfield. The Town of North Brookfield will be the lead town in this human resource project; Brookfield's Administrative Assistant (Neylon) and Town Treasurer (Frangiamore) are already gathering information for Attorney Dolan. The "point person" will be the Chairman of the Selectmen and the Administrative Assistant.

During this discussion it was agreed that the matter of the unemployment claim should more effectively be given by Mr. Heller to Attorney Dolan rather than to the Senator and the Representative.

The Highway Superintendent's meeting was attended by Mr. Heller. He said that because of the recent hurricane and resulting clean-up, only three superintendents were in attendance. However, they discussed potential joint purchases of equipment such as a grader, stump grinders, sign making machines, etc. – all equipment that is not used on a daily basis by each department. They also discussed equipment disposal.

b. **Meeting of Financial Planning Team and Peer-to-Peer Grant Application – P. O'Connell**

The Peer-to-Peer grant application and appeal were denied as our application didn't address the priorities that they had established for this round of applications.

The Financial Team Meeting had good discussions which included tax rate setting procedure and the possible "no-cash payment" policy. There is another meeting scheduled before the November Special Town Meeting.

c. **Tree Cutting and Article for Special Town Meeting – R. Heller**

Mr. Heller reported that the Tree Warden will have no money in his account following two weeks of hazardous tree removal. The current estimate of trees to be removed during these two weeks is 135 but there are more. The Tree Warden, Herb Chaffee, had initially decided to request about \$17,000 from the Reserve Fund to finish the project but withdrew his request in favor of a Special Town Meeting Article.

Mr. O'Connell said that he had the opportunity to watch the tree service company and our Highway Department work together on this project. He said that they were extremely fast, efficient and safe with each person having his own job. Their work together includes clean up afterward. His suggestion of sending a memo of appreciation to the Tree Warden/Highway Superintendent and his team and to the tree service was unanimously accepted.

Salt shed: Mr. Heller reported that the roof for the new salt shed will be shipped on October 17th; erection of the roof will be done by the Highway Department staff and will depend upon the weather. The plan is to put the mixed salt and sand in the old salt shed for this winter and to put sand in the new one.

Highway & Conservation Commission: Mr. Heller also reported that these two departments are working closely together on Orders of Conditions for highway work. This is not mandatory at this time but it is believed that this is coming. Our departments are "ahead of the game".

d. Town Hall Roof – Article for Special Town Meeting – S. Comtois

After contacting Susan Knack-Brown of Simpson, Gumpertz & Heger, Mr. Comtois requested that the estimated cost information for both roof options be submitted to Ms. Neylon in time for the October 11, 2011 deadline.

e. Capital Improvement Planning and Recommendations – P. O'Connell

Mr. O'Connell will forward the minutes of this committee's first three meetings to the other members of the Board of Selectmen for their review. The committee is in unanimous agreement that a standard form be established for use with all capital purchases and that they would like their committee to be a seven-person standing committee. Membership would include a member each from the Board of Selectmen, the School Committee, the Advisory Committee, the Treasurer, and three at-large appointees with staggered three-year terms. They recommend that the at-large individuals be appointed by the Board of Selectmen and the others chosen by their board or by virtue of their position.

f. Prouty Street – Uses and Accessibility requirements – S. Comtois

Mr. Comtois spoke with Jeff Taylor, Building Inspector who said that not only a handicap ramp will be needed for 7 Prouty Street before public meetings and/or offices can be located there but the bathroom and doorways must also be handicap accessible. Mr. Comtois made a motion to ask the Plumbing & Gas Inspector for a variance on the bathroom

before any money is spent on renovations or handicap ramp; Mr. Heller seconded; so voted.

Mr. Comtois said that he sees the use of 7 Prouty Street as additional meeting space and potential re-location of staff, if needed.

Mr. O'Connell said that \$135,000 had been transferred from Stabilization for the purchase of 3, 5, and 7 Prouty Street and that only \$125,000 was needed. He entertained a motion that the Board place an article on the November 18th Special Town Meeting Warrant that would transfer the remaining \$10,000 to a special account which could be called Prouty Street Properties Expense Account, and that the amount spent on the acquisition of the property with Town Counsel (about \$5,000) be transferred from Legal Services to this account; Mr. Comtois; so moved; Mr. Heller seconded; so voted. One purpose of this account would be to more easily keep track of expenses relating to the property.

g. Quaboag River Bridge Right-of-Way – P. O'Connell

Mr. O'Connell reported that he has made some progress with this issue and has the assistance of Ms. Neylon. There are five properties that could be involved in the right-of-way but until there are more final plans when it is known which of the five are impacted, not very much can be done.

Ms. Neylon was asked to find out the paving schedule on the CSX bridge which abuts the Quaboag River Bridge.

h. Town Hall Clock Tower Masonry Repairs – D. Neylon

The detailed quote of \$6,800 for the majority of the work to be done on the clock/bell tower was received and reviewed by the Board. \$2,000 of this quote includes the cost of the lift rental. Ms. Neylon explained that the mason did not know how much was left to do on the clock tower because he hadn't been up there for about three years but once he is back on the site he will give us another quote for the amount it will take to complete the work.

It was explained that this is the last or next-to-the last part of a phased project of re-pointing the Town Hall masonry. The project has been going on for several years but no work was done last year at the Board's request.

Mr. Heller moved to approve the masonry work of the clock tower for \$6,800; Mr. O'Connell seconded; so voted.

i. Police Part-Time Wage Recommendations – P. O’Connell

A memo was received from Chief Blanchard and reviewed by Chairman O’Connell. The Chief could not attend this meeting as he had interviews scheduled for this evening with potential new part-time police officers to be added to his staff.

Mr. O’Connell explained that there was much work to be done to correct step and grades of the police officers, for example all are Grade 8 whether or not they are part- or full-time.

Chief Blanchard tried to come up with a wage that made sense according to seniority and hiring rate. The last part-time officer (for Brookfield) was hired at about \$11.11/hour approximately three years ago. North Brookfield’s part-time officers start at \$12.25; East Brookfield at \$14.48; Hardwick at \$14.40; West Brookfield at \$15.60 and Warren at \$16.24. We currently have two officers below the Town’s pay scale and way below other neighboring towns.

Mr. Heller moved to approve the Wage Authorization Forms for Officers Ryan Kelley and Christopher DeSantis, retroactive to July 1, 2011 at the hourly rate of \$13.00; Mr. Comtois seconded; so voted.

Mr. O’Connell said it was his and Chief Blanchard’s intent to upgrade all officers at FY 13 budget time. Once all job descriptions have been reviewed/created under the Human Resource Memorandum of Understanding, they will be forwarded to the Personnel Committee for re-grading.

Mr. O’Connell entertained a motion to establish the new probationary hiring rate of \$12.50/hour for all new part-time police officers; Mr. Heller so moved; Mr. Comtois seconded; so voted.

j. Lakeside Campground Insurance, signage, and Planning Proposal – P. O’Connell:

Recommendations received from the Larry Joseph, the Town’s insurance agent, included resolving the town’s ownership of the mobile homes still on the property, putting up “no trespassing” signs and removing signs advertising the campground. Mr. O’Connell asked the Board how they wanted him to proceed. He suggested asking the local police to use the VIN (vehicle identification number) on the mobile units to locate the owners. The Board agreed to try this in the hopes that all owners can be identified to remove their units and then the need for Town Counsel to act further could be abated.

The property is already covered by insurance for general liability but the agent does not recommend that the Town insure buildings. There is only one building (the former roller skate building) that would be worth insuring and that would cost about \$2,000 annually. No vote was taken.

Mr. O'Connell entertained a motion to authorize the Police Department to remove any signs advertising the former campground; Mr. Comtois so moved; Mr. Heller seconded; so voted.

Mr. Heller will check internet sites for any advertising of the former business that may still be active.

The police department will continue their active patrols of the property.

Mr. O'Connell said that he has a proposal from Bill Scanlan for a feasibility study of future uses of this property. He will thank him for the proposal and hold it until title for all lots are in the Town's name.

j. **Solar Project report – R. Heller**

Mr. Heller reported that the contractor is scheduled to submit the inter-connection application to National Grid this week.

4. **REVIEW OF SPECIAL TOWN MEETING (STM) ARTICLES AND DRAFTING OF MOTIONS**

Ms. Neylon submitted to the Board a DRAFT which included 22 possible articles, proposed wording for the articles and for their motions. The numbering below reflects the index of her DRAFT but does not reflect the order that the articles will be in when/if they are placed on the actual warrant. Comments made and actions taken following the article's title reflects were from this meeting.

1. **BEMA storm notification** – Estimate of amount needed is \$3,500. Formal request needed from BEMA Director. No action taken.
2. **By-law changes/By-law committee** – Nothing expected; no action taken.
3. **CDBG-R Granite** – Stantec is coming to Brookfield for a meeting on October 18th. Mr. O'Connell entertained a motion to include this article with funding to come from Stabilization, Chapter 90 and expected Stantec reimbursement; Mr. Heller so moved; Mr. Comtois seconded; so voted.
4. **Change in health insurance co-pays** – Agreed to pass over for now.
5. **Community Preservation Act** – Will not be included.
6. **Cooley Hill** – See action taken at earlier part of this meeting.
7. **Dissolve OSRC/MP committee** – Mr. O'Connell entertained a motion to include this article; Mr. Heller so moved; Mr. Comtois seconded; so voted.
8. **GIS mapping from assessors** – Mr. Heller moved to include this article; Mr. Comtois seconded; so voted. An actual cost is still needed from the Assessors.

9. **Hampshire COG** – Mr. Heller moved to include this article; Mr. Comtois seconded; so voted. There will be a short presentation at the STM from a representative of Hampshire COG.
10. **Mosquito control** – Mr. Heller moved to include this article but to use the article drafted by Mr. O’Connell requiring a Town Meeting vote each year of the three year term of the agreement; Mr. Comtois seconded; so voted.
11. **No health insurance to p/t employees** – This was recommended by the DOR’s Financial Management Review Report. The Board discussed whether or not elected officials should be included and how. Mr. Heller will contact Attorney Dolan about this. No other action taken.
12. **Police contract/budget changes** – Passed over for now at Mr. O’Connell’s recommendation.
13. **Police Department sign** – Mr. Heller moved to include this article; Mr. Comtois seconded; so voted. Still need the cost from the Police.
14. **Roof at fire station** – Mr. O’Connell felt that this is a “large ticket item” and should be placed on the Annual Town Meeting (ATM) warrant. No action was taken because it is not know if the Fire Department roof is leaking or if repairs can wait until the ATM.
15. **Snow & ice coverage – transfers from other accounts** – There are two options of how to pay for this article which was not addressed at the ATM in June. One option is to take the funds from other specified accounts, and the other option is to transfer the funds from Stabilization to lower the tax rate. Mr. Heller moved to include both options on the warrant; to vote on option one first and, if necessary, vote on option two; if option two is not needed then pass over it; Mr. Comtois seconded; so voted.
16. **Tantasqua By-Law Change** – This article was submitted by School Superintendent Daniel Durgin and would make a change to the Tantasqua Regional School District by-law affecting how vacancies on the School Committee are filled. Mr. Comtois moved to include this article; Mr. Heller seconded; so voted.
17. **Town hall roof** – Deferred.
18. **Treasurer by-law change** – Mr. Comtois moved to include this article; Mr. Heller seconded; so voted. The article would exclude all references to Tax Collector in the section of the by-laws referring to procedure for filling a vacancy in the positions of Tax Collector and Treasurer.
19. **Tree removal and trimming/hazardous trees** – Mr. Heller moved to include an article that would add to the Tree Warden’s Expense Account; Mr. Comtois seconded; so voted. Actual amount is not known at this time.
20. **Wagon Wheel** – Ms. Neylon will follow up with the Board of Health and Wagon Wheel to see if they are ready for action at this time.
21. **Prouty Street Properties** – See action taken at earlier part of this meeting.
22. **Rename or combine budget lines** – Passed over.

5. **REVIEW OF THE OPEN SPACE, RECREATION AND MASTER PLAN**

Due to the lateness of the evening, this was deferred to a Special Meeting of the Board (date not set).

6. **PERMISSION TO DETECT METAL ON TOWN PROPERTY**

Permission has been requested by Scott Klein, a resident of Central Street, Brookfield, to be allowed to detect metal on the recently-purchased Prouty Street properties. No action was taken but it was agreed that Ms. Neylon would ask other communities through STAM (Small Town Administrators of Massachusetts) how they handle this. The Board agreed that they needed a written policy regarding this.

7. **WINTER PARKING BAN POLICY REVISION**

Mr. O'Connell presented a minor change to this policy. This will change "Vehicles that violate the winter parking ban will be ticketed by the police and receive a \$15.00 fine for the first offense" to "Vehicles that violate the winter parking ban may be ticketed by the police and receive a \$15.00 fine". This gives the police some discretion and clears up the question of what is the amount of subsequent fines, if any. Mr. Heller moved to accept the proposed amendment to the Winter Parking Ban Policy; Mr. Comtois seconded; so voted.

8. **SELECTMEN'S MEETINGS (SCHEDULE FOR JAN/FEB/MAR, SPECIAL MEETINGS FOR NEGOTIATIONS AND EMPLOYEE HEALTH INSURANCE PROPOSALS, JOINT MEETING WITH THE ADVISORY COMMITTEE, ETC.)**

Mr. Comtois moved that the Board continue meeting every other Tuesday evening from the schedule already set. Thus the meeting schedule for the first quarter of 2012 will be: January 3, 17, 31; February 14 and 28; and March 13 and 27; Mr. Heller seconded; so voted.

The Board agreed to hold a special meeting on Wednesday morning of October 5th to begin at 9:00 am with an Executive Session relative to Police Negotiations and begin the Open session about 10:00 am for further discussion on funding for the STM articles and defining roles, priorities and timetables for the FY13 budget development process.

Another special meeting will be held on Thursday evening, October 6th; this will be a joint meeting with the Advisory Committee and the Town Accountant to review and/or establish the schedule for the FY 13 budget.

9. **MUNICIPAL ENERGY AUDIT (9/30/11) DEADLINE**

The Board had authorized Ms. Neylon to take advantage of National Grid's offer to conduct free energy audits of municipal buildings. The results were submitted for the Board's review but a letter came recently from National Grid indicating that prices quoted for these electrical and gas upgrades would not be held after September 30th. Mr. Comtois moved to approve the plan with the expectation that the upfront costs would come from the relative department budgets and that the Department Head would go to the Reserve Fund, if necessary; Mr. Heller seconded; so voted.

Other (These are items that arose after the official posting of the agenda):

10. **MASSWORKS GRANT APPLICATION**

MassWorks Grant Notification: This grant was applied for on time and the Town should hear on October 28th. Work proposed under this grant will be done on Mill and Quaboag Streets. It was pointed out that Quaboag Street has been flooded three times this year alone and this is undermining the roadway. Mr. Heller asked if the Board wanted him to contact Senator Brewer and Representative Gobi for their support on the Town's behalf and this was unanimously agreed.

It was also unanimously agreed to send Cindy Thompson a thank you note for all of the work that she did in this grant application as she certainly went "above and beyond" by doing this work while recuperating from surgery.

11. **CHAPTER 90 REQUEST (STRAP PROJECT)**

Mr. O'Connell entertained a motion to approve the Chapter 90 Reimbursement Request for \$107,306.80 as submitted by the Highway Superintendent for the Resurfacing of Rice Corner Road and Town Farm Road project; Mr. Heller so moved; Mr. Comtois seconded; so voted. This project also received STRAP grant funding.

12. **SALT BIDS**

Mr. O'Connell entertained a motion to approve/accept the terms of the contract of Cargill Inc., 24950 Country Club Blvd., Suite 450, North Olmstead, Ohio 44070 for their lowest responsible bid of \$75.96/ton/delivered for Sodium Chloride Road Salt – Treated, said bid opened on August 17, 2011 by the Town of Oxford; Mr. Heller so moved; Mr. Comtois seconded; so voted.

Mr. Heller moved to accept/approve the terms of the contract of American Rock Salt, P.O. Box 190, Mt. Morris, NY 14510 for their bid of \$58/54/ton/delivered as

the lowest responsible bidder, said bid opened on August 17, 2011 by the Town of Oxford; Mr. Comtois seconded; so voted.

13. USE OF CERTIFIED FLAGGERS

A copy of an article in the Sunday Telegram of September 25, 2011 about the use of certified flaggers and quoting Brookfield's Highway Superintendent, Herbert Chaffee II and Brookfield's Police Chief, Michael K. Blanchard was received from Mr. Kermit Eaton along with two short letters from him commending Mr. Chaffee and Mr. Blanchard on their work together using certified flaggers whenever possible instead of police officers to save the town money.

Mr. Eaton also suggested that the Selectmen might consider initiating a "Department of the Month" program to recognize a department that has gone "above and beyond". The Selectmen said that they know that all of their departments routinely go "above and beyond" and they try to thank them at each instance but that they might consider a recognition program such as suggested or having a recognition page in the Annual Town Report. No decision was made. Mr. Eaton's letters which were read into the minutes and the article are attached to these minutes.

14. PERMISSION TO USE TOWN COUNSEL

Recreation Committee: Mr. O'Connell entertained a motion to approve the request of the Recreation Committee to speak with Counsel, John Dolan regarding a personnel matter; Mr. Heller so moved; Mr. Comtois seconded; so voted. Mr. Heller will contact Mr. Dolan and put him in contact with Mr. Merow, Chairman of the Recreation Committee.

Tax Collector: Mr. O'Connell entertained a motion to approve the request of the Tax Collector to speak with Town Counsel regarding tax taking issues; Mr. Heller so moved; Mr. Comtois seconded; so voted.

Correspondence:

None.

ADJOURNMENT:

At 10:00 pm, it was determined that there was no need for an Executive Session so Mr. Comtois moved to adjourn the meeting; Mr. Heller seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Approved: _____