

**Town of Brookfield
Selectmen's Meeting
Town Hall, Banquet Room
Tuesday, October 25, 2011**

Members present: Mr. O'Connell, Mr. Heller, Mr. Comtois II

Mr. O'Connell called the meeting to order at 6:00 pm and immediately entertained a motion to adjourn to Executive Session citing Exemptions 3 and 6 (listed below) and to return to open session thereafter; Mr. Heller so moved; Mr. Comtois seconded; so voted with Mr. Comtois voting aye; Mr. Heller voting aye; and Mr. O'Connell voting aye.

Exception Three - "To discuss strategy relating to collective bargaining or to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, to conduct strategy sessions in preparation for negotiations with nonunion personnel, to conduct collective bargaining sessions or contract negotiations with nonunion personnel."

Exception Six - "To consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation."

At 6:43 pm, Chairman Heller called the Open Session to order and led the group in the Pledge of Allegiance.

Camera Operator: James Sniffen
Press: Jennifer Grybowski, Karen Trainor
Public: 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. Heller moved to ratify the Payroll Warrant for 10/18/11 in the amount of \$176,540.13; the Expense Warrant of the same date for \$170,480.38 and to ratify the Motor Vehicle Abatement for 2011 in the amount of \$380.09; Mr. Comtois seconded; so voted.

Mr. Heller moved to approve the Expense Warrant for 10/25/11 in the amount of \$70,362.32; Mr. Comtois seconded; so voted.

APPROVAL OF SELECTMEN'S MINUTES:

Mr. Heller moved to approve the minutes of 9/6/2011; 10/5/11 and 10/6/11; Mr. Comtois seconded; so voted. The minutes of 10/11 and 10/18 were deferred to the November 8th meeting of the Board.

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: 8/1/11; 9/12/11; 10/17/11
- CDBG Advisory Committee: 8/23/11
- Police: September 2011
- Conservation Commission: 9/20/11

ANNOUNCEMENTS:

Announcements were read by Chairman O'Connell and they included a reminder of the November 18th Special Town Meeting and the Public Hearing to be held as part of the Selectmen's meeting on November 8th regarding the Mill Street Brownfield project.

Mr. O'Connell announced that the Police Department has recently received a Jeppson grant which will educate the Police Officers on aspects of child safety seats and will provide a supply of seats for worthy Brookfield residents.

Mr. Heller asked permission of the Board to allow James Sniffen of the Local Cable Access Board to speak and said permission was granted. Mr. Sniffen told of the retreat recently held by the Cable Access Board where they fielded many ideas, created a mission statement, policies, etc. He said the retreat was very successful and well attended.

Public Access Period:

John David Holdcraft told the Board that he didn't approve of making the Administrative Assistant a salary position versus an hourly position. He said that he "didn't believe that she works on Fridays"; "is getting paid for five days a week but only works four", and "a lot isn't getting done". He then proceeded to say that the Treasurer was not qualified to hold her position; that the "town voted not to have clerks". He said that the Selectmen had their choice of an elected or appointed Treasurer and chose appointed, that they hired an unqualified person when a qualified one was available. He also asked "What is going on behind the scene to give Donna all the perks?"

Agenda:

1. REVIEW/APPROVE COMMUNITY DEVELOPMENT STRATEGY (CDS)

Donna Neylon, a member of the Community Development Block Grant Advisory Committee (CDBG AC), was present to explain why the CDS was before the Board for their approval. She explained that the CDS had been reviewed at the October 11th Selectmen's meeting in detail with Mr. William Scanlan, the Town's grant writer, and Mr. Christopher Dunphy of Pioneer Valley Planning Commission (PVPC) who both were present to answer any questions. Following the review at the October 11th meeting two Selectmen sent their comments and suggestions for review to Mr. Scanlan who updated the CDS and presented it to the CDBG AC at their meeting on October 20th. The Committee reviewed the CDS again and found more to be added, updated and/or removed. The document before the Board tonight is the final document and she asked that the Board

approve it as the next step in the grant application process for the housing rehabilitation and adult education grant application that the Town will be submitting with the Towns of Ware, Hardwick and Warren. Ms. Neylon also noted that the CDBG AC agreed that the final CDS should be forwarded to the newly re-formed Capital Improvement Planning Committee (CIPC).

Mr. O'Connell entertained a motion to approve the CDS as submitted; Mr. Comtois so moved; Mr. Heller asked that the footer include the date of the document and Mr. Comtois included that in his motion; Mr. Heller seconded the motion; so voted.

Mr. O'Connell expressed the Board's appreciation to Mr. Scanlan for his contributions.

2. REPORTS:

a. Computer and Software acquisition – R. Heller

Mr. Heller reported that his ad hoc committee had met and was working on various policies relative to computer, computer-related equipment and software. He recommended that the Town purchase (at a cost of about \$1,300) virus protection for all of the municipal computers. After an explanation of the program, Mr. Heller moved that the Selectmen authorize the purchase of an anti-virus protection program at a cost of \$1,331.85 for a three year period, said funds to come from the Computer Acquisition Account; Mr. O'Connell seconded; so voted.

The ad hoc committee is discussing the possibility of sharing a document retention program and this committee is looking for volunteers to assist in centralizing and planning purchases of computer equipment.

On the November 8th agenda Mr. Heller will lead a discussion of purchasing computers for the Highway and the Treasurer Departments and a recommendation on what to do with old, unwanted computers and computer equipment.

b. Town Hall Roof Repair – S. Comtois

Mr. Comtois asked the Board to remove the Special Town Meeting article relative to Town Hall roof repairs as he wasn't ready at this time. He wanted to watch the snow conditions and have the "falling snow" signs put back up and the orange fence replaced. He also asked that saw horses placed to prevent parking in the "danger areas" if necessary. He said that he will contact Susan Knack-Brown to get a release from the orange fence and then will get the approval of the Building Inspector.

c. Fire Station Roof Alternatives – S. Comtois and Chief Martell

Mr. Comtois said that he had spoken with Fire Chief Peter Martell earlier today and that the chief desires a metal roof so that it will not have to be

shoveled but has agreed to an asphalt roof. Mr. Comtois said that his contact at Tantasqua had agreed that the students would replace the Fire Department roof (at their schedule) and for a charge of 10% of the materials cost. They have their own liability insurance. This roofing project does not include the original Fire Station where the ambulance is parked as this is a flat roof.

d. Prouty Street Accessibility – S. Comtois

Mr. Comtois reported that he had spoken with the principal at Tantasqua Regional School and there is a possibility that they would work on making 7 Prouty Street handicapped accessible for the Town. This project would include widening doors, building a handicap ramp and some electrical work. The students will do the research with the ADA laws (Americans with Disability Act).

e. Municipal Facilities Committee – S. Comtois

This committee met last week, according to Mr. Comtois, and discussed renovation of the Town Hall basement for a Senior Center. This committee is in favor of the Town Hall elevator being located within the clock tower instead of outside the building. They would like to present a plan at the Annual Town Meeting relative to Town Hall renovations and a new police station.

Mr. Heller would like the Selectmen and Police Chiefs of Brookfield and West Brookfield to meet to discuss the feasibility of sharing a building that could possibly be built on land that is along Route 9 at the boundaries of the two towns. It was agreed that Mr. Heller and Ms. Neylon would set this up for a mutually agreeable time and date.

f. Solar Power Purchase Agreement – R. Heller

There was nothing new to report from the Solar Power committee.

g. Dunn Brook Bridge – R. Heller

Mr. Heller reported having met at the Dunn Bridge with Herbert Chaffee II, the Highway Superintendent, and a representative of the State Department of Transportation (DOT). The bridge is measured by the DOT in three elements: structure, super-structure and sub-structure. It is the sub-structure on this bridge that failed its inspection. Mr. Heller said that the article on the Special Town Meeting Warrant to fund this project could be removed at this time as the DOT representative said that they will share the costs with Brookfield; that the project will cost about \$50,000 each and they will take care of the bidding and the work. Some of Brookfield's costs may be contributed through in-kind service by our Highway Department. The bridge project is expected for the spring of 2013 and the bridge could be closed for all traffic as long as three weeks. All agreed that this bridge and the bridge in East Brookfield also on

Quaboag Street but at the town boundary with East Brookfield could not be closed at the same time. Repairs are expected to begin on the second bridge in August of 2012.

h. Mosquito Control Project Alternatives – R. Heller

Mr. Heller said that the costs of this project had been reduced from \$35,000 annually for three years to \$28,000 and that the first year which would only be the last three months of the current fiscal year, would cost only \$7,000. This is the amount that should be in the article for the Special Town Meeting and will cover education, research, and pre-larval spraying.

i. Perambulation of Town Boundaries – P. O’Connell

Mr. O’Connell reported that he had acquired an agreement with Tantasqua Regional School for the use of their equipment for perambulating the Town’s boundaries but doing this as a school project seems impractical from the school’s point of view. However, an individual student or an Eagle Scout candidate might take on this project with one of the Selectmen.

3. FINALIZE SPECIAL TOWN MEETING WARRANT AND SIGN

Warrant make up: The Board discussed whether or not explanations of the articles should be included on the official warrant as requested by the Town Clerk. Mr. O’Connell entertained a motion to include both the Board’s recommendations and explanations on the Warrant; Mr. Comtois so moved; Mr. Heller seconded; so voted.

The Board then reviewed the articles in their new order, their recommendations and voted any additional changes:

- Article 1: TRSD By-Law: Unanimous recommendation.
- Article 2: CIPC By-Law Change: Unanimous recommendation.
- Article 3: Dissolve The Open Space/Master Plan Committee: Unanimous recommendation.
- Article 4: Cooley Hill property sale: Unanimous recommendation.
- Article 5: Hampshire COG: Unanimous recommendation.
- Article 6: Snow & Ice: Unanimous recommendation that this should be funded from Stabilization but returned after Free Cash is certified at future meeting.
- Article 7: Mosquito Control: Mr. Comtois moved; Mr. Heller seconded; to change motion to read \$7,000 for three months; so voted. Unanimous recommendation.
- Article 8: GIS Mapping: Unanimous recommendation.
- Article 9: Blackboard Connect: Unanimous recommendation.
- Article 10: Tree Cutting: Unanimous recommendation.

- Article 11: Highway Late Water Bill: Unanimous recommendation.
- Article 12: Saw Mill Pond Dam Materials: Unanimous recommendation.
- Article 13: Saw Mill Pond Dam Labor: Unanimous recommendation.
- Article 14: Dunn Brook Bridge Project: Mr. Heller moved; Mr. Comtois seconded to remove this article; so voted.
- Article 15: Reinstate clerk hours for Treasurer (\$4,810): Mr. O'Connell gave a review of action taken at the last meeting of the Board (Tuesday, October 18th) when no members of the press were present and this article was returned to the warrant. Recommendation 2-1.
- Article 16: Fire Department Roof: Mr. Comtois moved that the amount of this article should read not to exceed \$10,000 rather than the \$50,000 as originally requested by the Fire Chief; Mr. O'Connell seconded; so voted. Unanimous recommendation.
- Article 17: Replace Police Department sign: Mr. Comtois will check to see if there is any new information on this. Unanimous recommendation.
- Article 18: Police Department Copier/Fax: Following additional research and negotiation, the Police Chief has submitted a changed request for \$4,279. Mr. Comtois moved to change the amount of this article to read \$4,300 instead of \$4,800; Mr. Heller seconded; so voted. Unanimous recommendation.
- Article 19: Board of Health Clerk Salary: Mr. Heller moved to support this article; Mr. Comtois seconded so voted. Unanimous recommendation.
- Article 20: Board of Health Transfer Station: Unanimous recommendation.
- Article 21: Zoning Board of Appeals Clerk: Mr. Comtois moved to recommend; Mr. Heller seconded; so voted. Unanimous recommendation.
- Article 22: Prouty Street Acquisition: Unanimous recommendation.
- Article 23: Unemployment Account: During this discussion, Mr. Heller asked Mr. Comtois if he could have a conflict of interest and if so, he should declare such and should file a Disclosure. Mr. Comtois denied any potential conflict of interest and the matter was dropped.
- Article 24: New: Right-of-Way/Quaboag River Bridge Project: Mr. O'Connell said that this article should be added because it is the Town's responsibility to acquire all of the rights-of-way for the Quaboag River Bridge Project. He further explained that this property had no taxes paid on since early 1960 or 1961; the owner was deceased and that an earlier Tax Collector and Treasurer had done a Tax Title taking on this property under the wrong property owner. This made the tax taking null and void and a new tax taking should be done under the last know property owner. He believed that a tax taking would take too long and put the bridge project behind schedule so the article is drafted to take the property by eminent domain. Mr. Heller moved to include the article on the

Warrant; Mr. O'Connell seconded; so voted with Mr. Comtois voting against because he was against any property taking by eminent domain. Mr. Heller moved to support the article; Mr. O'Connell seconded; so voted with Mr. Comtois voting against. Mr. O'Connell agreed to continue his research and if the property could be taken by tax title and keep to the schedule that would be considered.

Article 25: New: Accept Settlement from Bonding Company: A settlement check will be received from the bonding company of Dario Fiorentini who had been contracted to do masonry work on the Cemetery archway but had not completed the project. Town Meeting must vote approval to accept the check. Mr. Comtois moved to include the article; Mr. Heller seconded; so voted. Mr. Comtois moved to recommend the article; Mr. Heller seconded; so voted. Unanimous recommendation.

The Article for Police Overtime was not reinstated on the warrant. The Board will discuss a possible future article to accept Chapter 44D at their November 8th meeting but it will not be admitted to the November 18, 2011 Special Town Meeting Warrant.

Mr. O'Connell entertained a motion to close the warrant with the understanding that it can be re-opened at any time by vote of the Board before it is posted; Mr. Comtois so moved; Mr. Heller seconded; so voted.

Mr. Comtois moved to approve the Warrant with changes made at this meeting, to include explanations and to be posted on the Town's website by Thursday, November 3rd; Mr. Heller seconded; so voted.

The Board agreed to finalize the motions at their November 8th meeting.

4. BROWNFIELD ASSESSMENTS, CLEAN UP GRANTS, ETC.

Ms. Neylon reminded everyone of the Public Hearing to be held on November 8th regarding the Mill Street Brownfield project and said that this project was on schedule and moving right along.

She also asked the Board if they were ready to apply for Phase II Assessment grants from CMRPC (Central Massachusetts Regional Planning Commission) for either the Town Hall or the Prouty Street properties. Phase I Assessment reports have been received.

Mr. Comtois moved to apply for Phase II for these properties; Mr. Heller seconded; so voted.

5. **SIGN RELEASE & ASSIGNMENT RE: CEMETERY PROJECT BOND**

Mr. Comtois moved to authorize the Chairman to sign the Release and Assignment; Mr. Heller seconded; so voted.

6. **PROPOSAL TO MAKE ADMINISTRATIVE ASSISTANT POSITION A SALARIED POSITION**

This was passed over to the November 8th meeting.

7. **WRTA BUS SHELTER**

This was passed over to the November 8th meeting.

8. **REVIEW OF THE OPEN SPACE, RECREATION AND MASTER PLAN: SET SPECIAL MEETING**

This was passed over to the November 8th meeting.

9. **APPOINTMENT – CULTURAL COUNCIL**

A letter of intent was received from Jeanne Lytle who requested to be re-instated to the Cultural Council now that she has completed her year off the Council. Mr. Comtois moved to appoint Jeanne Lytle to the Cultural Council for a term to expire on June 30, 2014; Mr. Heller seconded; so voted.

10. **REQUEST TO USE TOWN COUNSEL - ZEO**

This matter was passed over as the Zoning Enforcement Officer had withdrawn his request after the Agenda was posted.

Correspondence:

11. **RESOLUTION IN SUPPORT OF H1972 “AN ACT REGULATING ELECTION PRIMARIES”**

This was passed over to the November 8th meeting.

12. **NATIONAL GRID – NOTICE OF FILING & REQUEST FOR COMMENTS**

This was passed over to the November 8th meeting.

Other:

13. **TREE PLANTING**

This was passed over to the November 8th meeting.

14. CULTURAL COUNCIL CONTRACT

Mr. Comtois moved to authorize the Chairman to sign the Contract with the Massachusetts Cultural Council for a grant of \$3,870; Mr. Heller seconded; so voted.

15. APPOINTMENT – HISTORICAL COMMISSION

A letter of intent was received from Tracy Comtois who requested to be appointed to the Historical Commission and a letter supporting her appointment was received from Ron Couture. Mr. Comtois moved to appoint Tracy Comtois to the Cultural Council for a term to expire on June 30, 2014; Mr. Heller seconded; so voted.

16. SIGN – ADDENDUM TO ELECTRICITY SUPPLY CONTRACT BETWEEN THE TOWN & HAMPSHIRE COUNCIL OF GOVERNMENTS – 7 PROUTY STREET

Mr. Comtois moved to sign the addendum for electricity supply with the Hampshire Council of Governments for the 7 Prouty Street property; Mr. Heller seconded; so voted.

17. FY 13 SCHOOL BUDGET LIAISONS

Correspondence was received from Deb Boyd, Business Manager at TRSD asking for the names of the liaisons from the Selectmen’s office for the school budget planning process. Mr. Comtois volunteered to be the liaison in the matters of the Brookfield Elementary school and Union 61 and Mr. O’Connell volunteered to be the liaison in the matters of the Tantasqua Regional School District.

At 9:35 pm Mr. O’Connell entertained a motion to adjourn the meeting; Mr. Heller so moved; Mr. Comtois seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Approved: _____