

**Town of Brookfield
Selectmen's Meeting
Town Hall, Banquet Room and Selectmen's Office
Tuesday, February 14, 2012**

Mr. O'Connell called the meeting to order at 6:30 pm led the group in the Pledge of Allegiance. Other members present: Rudy Heller and Stephen J. Comtois II.

Camera Operator: James Sniffen

Press: Karen Trainor, Jennifer Grybowski

Public: Daniel Leahy, Michael Seery, 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 ratify the below listed warrants; Mr. Heller so moved; Mr. Comtois seconded; so voted.

RATIFY PAYROLL WARRANT for 2/7/12: \$182,419.29

RATIFY EXPENSE WARRANT for 2/7/12: \$439.48

APPROVE EXPENSE WARRANT for 2/14/12: \$33,705.66

APPROVAL OF SELECTMEN'S MINUTES:

The approval of the minutes of the January 31, 2012 meeting was passed over.

MONTHLY REPORTS & MINUTES OF OTHER DEPARTMENTS:

Mr. O'Connell entertained a motion to acknowledge receipt of the below-listed monthly reports and minutes; Mr. Heller so moved; Mr. Comtois seconded; so voted.

Municipal Facilities Planning Committee: 1/9/12

Police Department: October, 2011; November 2011; December 2011

Town Hall Custodian: January, 2011

EMS: January 2012

Fire Dept.: January 2012

ANNOUNCEMENTS:

Several announcements were read by Chairman O'Connell including the schedule for the 2012 Annual Town Elections, the March 2012 Federal Primary, notice of an informational meeting sponsored by the Agricultural Commission relative to a proposed right-to-farm by-law, and brush burning season.

Public Access Period:

There were no speakers.

Agenda:

1. **7:00 PM** **PLANNING BOARD CHAIRMAN DAN LEAHY RE:
ZONING BY-LAW UPDATES**

Mr. Daniel Leahy, Chairman of the Planning Board, attended this meeting to inform the Board that the Planning Board was working on several zoning by-law changes. It is their intention to make these changes over a two year period; to streamline and improve the by-laws the first year and to create new by-laws in the second year. They plan to use the services of William (Bill) Scanlan and are researching the amount of time needed and the estimated cost. This project is called for under the recently-completed Master Plan. Mr. Leahy said that the Master Plan Committee had done a lot of work and the Planning Board wanted to proceed to make the implementations and not let their work “stagnate”.

Mr. O’Connell said that the town currently has about \$11,000 earmarked for carrying out the recommendations of the Master Plan Committee; the first phase of the Planning Board’s project may cost about \$12,500.

Mr. Michael Seery represented the By-Law Committee. He said that they should work with the Planning Board on this project and that they support the proposal of the Planning Board. He further said that his committee had received a proposal of \$8,700 to codify the by-laws and zoning by-laws and was willing to see what others have to offer.

It was agreed that the Planning Board would write up the scope of the work that they would include in Phase I of this project prior to getting firm costs. The Planning Board members will do as much as they can to minimize the cost and would apply for grants to help with the funding of this project.

“THE GLEN”: While Mr. Leahy was present at the meeting, Chairman O’Connell mentioned having received a copy of a letter that the Planning Board had written about the housing development now known as “The Glen” (formerly known as “Clear Creek Estates”) and asked if there was any action that was needed by the Selectmen. Mr. Leahy indicated that the owners of this property were not making the roadway improvements that were necessary and the Planning Board was concerned for the current residents of this development and the Board members were becoming frustrated.

Mr. Leahy agreed to send one more letter to the development owners and if no response was received, he would come to the Selectmen for action. Mr. O’Connell felt the use of Town Counsel was a good investment in order to see what can be done to get the property owners to complete the road.

Chairman O’Connell entertained a motion to authorize the Planning Board to use Town Counsel to get advice of actions needed to move forward and resolve the

steps, strategy, and enforcement needed for the Glen to complete the roadway infrastructure; Mr. Heller so moved; Mr. Comtois seconded; so voted.

2. REPORTS:

a. MUNICIPAL PLANNING FACILITY COMMITTEE (MFPC):

Mr. Comtois, Chair of the MFPC, reported that the committee is still reviewing costs and that their next meeting will be in the Town Hall on February 22 at 6:30 pm.

Mr. O'Connell asked if the committee has discussed an RFP (Request for Proposals) for alternate sites for a Police Station (i.e. sites other than the Town Hall property which now includes the Prouty Street property). Mr. Comtois replied that his committee and previous committees deemed that this option was not cost effective and that renovation always costs more than new construction. Further, he believed that the Town purchased the property at Prouty Street with the intention to put a new police station there.

Mr. O'Connell asked if the committee had yet had a conversation with a representative of the USDA (United States Department of Agriculture) regarding financing. Mr. Comtois said that Mr. Simpson had placed a call and the committee intends to submit an article for the Annual Town Meeting (ATM) warrant. Mr. O'Connell asked that the draft article(s) be submitted as soon as possible.

b. SOLAR

Mr. Heller reported that the Power Purchase Agreement yet has to be signed but a representative of the solar committee has met with Town Counsel and will meet with the vendor next week to define a time line. Mr. Heller expressed his gratitude to the committee members and especially to Bill Scanlan and Tim Roughan for their invaluable assistance. He projects the construction to begin during this summer and the project should be on-line by Labor Day.

Next, he will meet with the Assessors to determine how the Town will tax the new facility. Mr. Heller indicated that the permitting process is moving along. He said the vendor, EPG, currently has six projects in Massachusetts but the project in Brookfield is their smallest.

c. INTER-MUNICIPAL AGREEMENT ON PERSONNEL

Mr. Heller indicated to the other Board members that the Board needs to give some guidance to Attorney Jack Dolan of Kopelman and Paige as to what assistance Brookfield particularly needs under this agreement. Mr. Heller agreed to call a meeting of the Personnel Committee to get them organized and to get their recommendations for Mr. Dolan.

The first seminar has been held (Sexual Harassment) and the next one is scheduled for tomorrow (Management 101). It was agreed that Mr. Heller would attend the seminar tomorrow.

d. QUABOAG BRIDGE PROJECT (FISKDALE ROAD)

Mr. O'Connell reported that he had spoken with the project's director earlier today. They plan to hold a meeting with the Board of Selectmen sometime within the next three to four weeks and sometime after that will be the official public hearing. The 25% plans were supposed to have been completed by last November but are not yet done. There doesn't seem to be very much that the Town can do until these plans are complete but Town Counsel is working on the rights-of-way.

Other:

TOWN HALL ROOF/GUTTERS: It had been agreed at an earlier meeting to review this situation after the winter. Ms. Neylon reported that to date, the Custodian had reported finding only one small (about 4" triangle shaped) piece of slate on the ground. Mr. Comtois reminded everyone that there were already a few loose slates on the roof and that this piece was probably one of those. The Board has the option of dealing with the slate replacements now or in the future. Mr. O'Connell entertained a motion to authorize Mr. Comtois to get an estimate of the number of slates that will need to be replaced and to get three qualified bidders; Mr. Heller so moved; Mr. Comtois seconded; so voted.

7 PROUTY STREET PROPERTY: The Board discussed whether or not to spend money to make this building handicap-accessible and agreed to do nothing at this time. The groups that currently use the building know that they may not hold any public meetings there.

COOLEY HILL PROPOSED PROPERTY SALE:

A reply has been received from the one non-profit agency that showed a tentative interest in the property and they chose May 1st as a date to tour the property and begin negotiations. Mr. Bruce Clarke, Water Department Superintendent, told the Administrative Assistant that he felt the tour of the property should be done during March because of the threat of ticks and that by May leaves would be on the trees and would restrict visibility.

It was agreed that Mr. O'Connell and Ms. Neylon would contact the non-profit agency about changing the date; that Mr. O'Connell would attend the meeting and that he would contact the Conservation Commission about releasing water.

Mr. O'Connell gave the other Board members information about registering the dam with the Office of Dam Safety for discussion at the February 28th meeting.

3. **FY 13 BUDGET , ARTICLES, & PROPOSED SCHEDULE FOR ADDITIONAL MEETINGS (LETTER FROM REP. GOBI)**

a. **SCHEDULING BUDGET REVIEWS:** After some discussion, Mr. Heller moved to cancel the meeting postings for February 23 and March 1st and to schedule instead joint meetings of the Board of Selectmen and the Advisory Committee for March 8th and 15th; said meetings are for budget discussions and will be held at the Elementary School; Mr. Comtois seconded; so voted. It is intended to review the school budgets at the March 15th meeting.

b. **DATE OF THE ANNUAL TOWN MEETING:** Mr. O'Connell suggested a by-law to change the date of the Annual Town Meeting (ATM) to a Thursday in June. Mr. Comtois preferred holding the meetings on a Friday evening. No decision was made regarding a by-law change. Mr. O'Connell entertained a motion to hold the 2012 Annual Town Meeting on June 15th, Mr. Heller so moved and Mr. Comtois seconded for purposes of discussion. This motion and second were withdrawn. Mr. Heller moved to hold the 2012 Annual Town Meeting on June 8th at the Elementary School, with optional dates of June 11 and June 15 in case the meeting had to be continued; Mr. Comtois seconded; so voted.

c. **DEADLINES FOR SUBMISSION OF ARTICLES FOR THE ATM:** The deadline of Monday, March 26th was discussed with the Board having completed their votes of recommendation by April 10th. No decision was made; this will be placed on the February 28th agenda.

d. **DATES FOR SELECTMEN'S MORNING BUDGET MEETINGS:** The purpose of these meetings will be to review smaller budgets, with the dates of March 1st (Thursday) and March 20th (Tuesday). Both meetings will be posted to begin at 8:00 a.m.

e. **TANTASQUA SCHOOL BUDGET:** Mr. O'Connell reported that this budget is complete and copies will be distributed soon.

f. **PROPOSED NEW POSITION:** At the February 9th joint meeting of the Board of Selectmen and the Advisory Committee, the Selectmen's budgets, Police Department's budgets and the budgets of the Highway Department were discussed. The Highway/Cemetery/Board of Health—Transfer Station proposed combining three part-time, seasonal positions into one full-time position.

Mr. O'Connell explained that this would eliminate paying unemployment insurance when the individual(s) were not working and would save the Town money. Mr. Comtois said he was not in favor of adding another person to the payroll of the Highway Department but was not against further research of the matter. Mr. Heller agreed to meet with the three departments to gather more information. Mr. O'Connell said that the Advisory Committee seemed to like the

idea for the increased efficiency. He felt the combination of positions would be cost neutral.

g. ELEMENTARY SCHOOL BUDGET: Mr. Comtois announced that there will be a public hearing in March where this budget will be discussed.

h. ARTICLE DISCUSSIONS:

Audit: The question arose as to whether or not this was the year to include money in the budget for any audits. It was agreed that at least the “STRAP” grant would need an audit. Mr. O’Connell agreed to talk with the Town Accountant to get her input. The Board agreed to add a line item to the budget for the STRAP grant audit.

Health Insurance: Mr. O’Connell reported that the Insurance Advisory Committee will be meeting in early March and will submit their proposal thereafter.

4. SAW MILL POND DAM (REVIEW RFP ; FOLLOW-UP, DISCUSSIONS, ETC.)

A request for an extension of time was sent but no reply has been received as of the time of this meeting.

For the next meeting, the members will review the draft RFP so that we will be ready to proceed.

5. CDBG-R “FINAL AGREEMENT” CLOSEOUT

Mr. O’Connell entertained a motion to authorize the Chair to sign the “close out” documents; Mr. Heller so moved; Mr. Comtois seconded; so voted.

6. CONTRACT: BANISTER COMMON & MALL COMMITTEE

The contract, as submitted by the contractor Guerriere & Halnon, Inc. of Whitinsville, MA had been revised and signed by the contractor. Mr. Heller moved for the Board to sign the contract with Guerriere & Halnon for land surveying of the Brookfield Common and Mall at a cost of \$3,950; Mr. Comtois seconded; so voted.

7. SENATE DOCKET 2108/HOUSE DOCKET 3887 CONTINUE DISCUSSION

Correspondence had been received from Representative Gobi indicating that a bill had been introduced before the legislature to protect burial sites so the Board agreed that no further action was necessary on their part.

8. LAKE ROAD PROPERTY ABANDONMENT

Correspondence had been received from an abutter indicating that he believed that the discontinuance of a section of old Lake Road which abuts South Pond Beach was not done properly. This was done via town meeting vote in 1956. The abutter believes the road was “discontinued but not abandoned”. Mr. O’Connell asked the board to authorize him and the Administrative Assistant to respond to the abutter after checking with the Highway Department on the layout; Mr. Comtois so moved; Mr. Heller seconded; so voted.

9. CMRPC – PHASE II G.L. FINNEY UPDATE

As no copy of the report has yet been received this discussion was postponed until the February 28th meeting.

Correspondence:

10. LEGISLATIVE BREAKFASTS

Correspondence was received indicating a slate of legislative Breakfasts to be held on February 17, February 24 and March 2nd. The breakfast meetings will be from 8:00 to 10:00 am and the meeting in Auburn on March 2nd is the location closest to Brookfield. Which ever of the Board members that can attend must RSVP.

11. ABCC SEMINAR

The Alcoholic Beverages Control Commission (ABCC) announces a regional outreach training seminar for all Local Licensing Authorities of Worcester County. This meeting will be on February 22 at the Worcester City Hall from 11 am to 2 pm. Members agreed that Administrative Assistant, Donna Neylon, should attend to represent the Board.

12. PROPOSED ROAD NAME CHANGE

Correspondence was received from a resident suggesting that the name of Rice Corner Cross Road be changed to something else less confusing. Mr. O’Connell noted that another resident had indicated to him that other roads should also have their names changed and listed East Main Street to Elm Hill Road and all of the “streets” along Route 9 be changed to Main Street as examples. Ms. Neylon will research the process for changing street/road names and add this to a future agenda. In the meantime, Mr. Heller will follow up with the resident.

Other:

13. CHARTER CONTRACT – LIBRARY

It was determined that the work/contract between the Library and Charter Communications was not covered under the current agreement between the Town and Charter.

14. APPOINTMENT – HISTORIC RECORDS PRESERVATION COMMITTEE

Newly appointed Tracy Comtois had indicated that she will not be able to serve on the Historic Records Preservations Committee so the Chair of the Historical Commission suggested Celeste A. Leger serve to represent the Historical Commission instead. Mr. Heller moved to appoint Celeste A. Leger to the Historical Records Preservation Committee with a term to expire on June 30, 2012; Mr. Comtois seconded; so voted.

15. LUCY STONE AWARD

Mr. Kermit Eaton, requested that the Board submit a cover letter with four letters nominating a particular resident of the Town for the Lucy Stone Award. Mr. O’Connell entertained a motion to send the cover letter; Mr. Heller so moved; Mr. Comtois seconded; so voted.

EXECUTIVE SESSIONS

At 8:48 pm, Mr. O’Connell entertained a motion to go into executive session under Exemption 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" and to return to Open Session only to adjourn; Mr. Heller so moved; Mr. Comtois seconded; so voted with Mr. Comtois, Mr. Heller and Mr. O’Connell each voting “Aye.”

ADJOURNMENT:

At 9:15 pm, Mr. Comtois moved to adjourn the meeting; Mr. O’Connell seconded; so voted.

Respectfully submitted

Donna L. Neylon, Administrative Assistant

Approved: April 3, 2012