

**Town of Brookfield  
Selectmen's Meeting  
Town Hall, Banquet Room and Selectmen's Office  
Tuesday, April 24, 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:** Sharon Mahoney  
**Press:** Jennifer Grybowski  
**Public:** John David Holdcraft, Linda Baron

*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 EXPENSE WARRANT FOR 4/10/12 - \$272,032.73 and Motor Vehicle & Trailer Excise Refunds for the same date: 2012 \$128.13; 2012 \$107.92; 2011 \$524.06; 2011 \$560.71

RATIFY PAYROLL WARRANT for 4/17/12: \$179,657.51

APPROVE EXPENSE WARRANT for 4/24/12: \$149,758.95 and Motor Vehicle & Excise Tax Refunds: various years \$607.28; \$460.37; \$662.49 and Real Estate Refunds: various years \$7.67; \$.98; \$.39; \$617.67; and \$261.75

APPROVE WIRE TRANSFER for 4/24/12: \$52.49

**APPROVAL OF SELECTMEN'S MINUTES:**

The approval of the minutes 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.

Historical Commission: 3/8/12

Municipal Custodian: March 2012

Recreation Committee: 2/14/12; 2/28/12

Town Administrator Study Committee: 3/19/12

**ANNOUNCEMENTS:**

Several announcements were read by Chairman O'Connell. Mr. Heller added that the Cherry trees were all in bloom in Brookfield along Route 9 and were very lovely and Mr. O'Connell commented on how nice East Main Street looked now that the Highway Department had finished clearing away all of the downed branches and dead trees.

**Public Access Period:**

John David Holdcraft: Mr. Holdcraft commented that “a lot of people” had been questioning him about what his sign said about the Mill Station Park. He said that the hazardous materials were never removed and now the Town can’t use the site for anything other than a park; this is “a waste” and now the Town has to maintain the site “forever”. The Town “should have paid more money to have the hazardous materials removed”.

At this time, the Board agreed that Ms. Neylon and the Brownfield Steering Committee should write up a summary of the project for presentation to the public either through the Brookfield Citizen and/or handout at the Annual Town Meeting.

Linda Baron: Ms. Baron said that she represented herself and others and thanked Mr. O’Connell for his professional handling of the Selectmen matters for the past three years, for his “professional dignity, respect, dedication and countless hours of creative problem solving.”

*Agenda:*

**1. 6:30 PM MEET NEW POLICE OFFICERS (B. FULLAM, C. REARDON)**

This was passed over.

**2. POLICE UNION CONTRACT**

The Selectmen had previously voted to sign the contract but subsequently two clarifying clauses needed to be added and the changes are supported by the union and its members. Mr. O’Connell entertained a motion to rescind the Board’s earlier vote and to vote to approve and sign the revised Police Union Contract which is retroactive to July 1, 2011 and expires on June 30, 2014; Mr. Heller so moved; Mr. Comtois seconded; so voted. Mr. Heller thanked Mr. O’Connell for his leadership in negotiating this contract and the original one.

**3. REPORT OF INSURANCE ADVISORY COMMITTEE- B. CLARKE & S. FRANGIAMORE**

Ms. Frangiamore, Town Treasurer, was present to explain the decisions and recommendations of the Insurance Advisory Committee. She explained that the health design that they had chosen would mean a savings, and this number did not include Medicare payment and savings. The Town’s share of these health costs is going down even though there are new enrollees and increases in premiums from the insurance company. Ms. Frangiamore said that the IAC would like to go out to bid for more attractive rates at the next opportunity and the Town should consider budgeting for a contract negotiator.

At the Selectmen’s meeting agenda after May 25<sup>th</sup> the Board can vote to agree to the recommendations of the IAC. The three local unions will be holding their elections between now and that date.

The Selectmen thanked the IAC for their hard work.

Ms. Frangiamore also announced that on May 15<sup>th</sup> from Noon to 2:30 pm there will be a Benefits Fair in the Banquet room of the Town Hall and the fair will move to the Elementary School from 2:30 to 4:00 pm. Included will be voluntary coverage for dental, accident, life and motor vehicle. Some of these could be deducted from pay and paid by the Town for the employee. There will be no cost to the Town if an employee chooses one or more of these policies.

#### **4. APPOINTMENTS/RESIGNATIONS**

Police Officers: A review of appointments showed that the three full-time police officer's appointments had expired. Mr. Heller moved and Mr. Comtois seconded to retroactively extend the appointments of Sgt. Pariseau, Officer White and Officer Marino to June 30, 2012.

RHE/COOP: Mr. Heller moved to appoint William (Bill) Scanlan as the Project Director of the project at a rate of \$80/hour through the expiration of the grant and delivery of the final report; Mr. Comtois seconded; so voted. Mr. Scanlan's expenses prior to the grant will be paid from the Consultant account.

Mr. Heller moved to appoint Lucinda (Cindy) Thompson as the Project Coordinator through the expiration of the grant and delivery of the final report; Mr. Comtois seconded; so voted. The matter of her pay rate, etc. will be determined after Mr. Heller gets more information.

Seasonal Worker for Board of Health and Cemetery Commissioners: The Board asked Admin. Assistant to send a memo to the Board of Health and the Cemetery Commissioners to remind them that appointments must be made/approved by the Board of Selectmen and Wage Authorization Forms must first be approved by the Personnel Board.

Capital Improvement Planning Committee (CIPC): Correspondence was received from Ms. Heather Lemeiux, Chair of the CIPC requesting that the Board extend Peter O'Connell's appointment until June 30, 2012. The CIPS understands that Mr. O'Connell's appointment to their committee would expire with his term on the Board of Selectmen. Mr. Heller and Mr. Comtois believe that Mr. O'Connell's position is that of a representative of the Board of Selectmen and if that is so, then no changes would have to be made. Ms. Neylon will look this up and the matter will be determined at the May 8<sup>th</sup> meeting.

**5. FY 13 BUDGET & ARTICLES**

The following were so voted with Mr. Comtois making the motion and Mr. Heller seconding:

Group Insurance: \$316,951.00

Audit: No change

Inspector's Expense: Change the name of the Expense Accounts for the Inspectors (Building; Gas & Plumbing; Electrical) to "Expenses Training & Certifications"

Bannister Common & Mall Expenses: Add \$1,050 which had been accidentally omitted.

Mr. O'Connell indicated that, currently, there are only two differences between the Selectmen's (BoS) proposed budget and the Advisory Committee's proposed budget:

- 1) \$800 more in BoS budget for Assessor's Expense
- 2) \$100 difference in Conservation Commission Expense

Articles:

- 1) GASBE post audit assessment of retirement obligations – It was agreed to leave this article on; the Treasurer will get the amount for the motion.
- 2) Town Counsel is working on the wording for the article regarding the Route 148 Bridge construction; it is possible that this article may require legislative approval.

We have received from Counsel the title searches including that for the five "owner unknown" parcels. It appears that the deeds for abutters only indicate that their property goes to the high water mark, rather than to the middle of the river. Because of the shifting of the river over the years, these "owner unknown" parcels have been created. These five parcels are all very small with no access and have such low value that they do not require a professional assessment. The Board of Assessors will be asked to set the value.

Order of Title relative to the Kroll property (formerly locally known as the Ellen Mundell property) was received. This is an agreement for an uncontested taking by eminent domain in lieu of payment of back taxes and will be placed on the agenda for the special meeting of Thursday, April 26.

Mr. O'Connell entertained a motion to close the warrant for addition of any other articles; Mr. Heller so moved; Mr. Comtois seconded; so voted.

**6. CIC GRANT/RHE COOP CONTRACT AND STATUS REPORT – R-HELLER**

See Appointment section above.

7. **BROWNFIELD – G.L. FINNEY PROPERTY UPDATE**

The report has been received from Fuss & O'Neill and Mr. O'Connell reviewed the process. He indicated that this was an ongoing partnering with the Finney family for the past two years. The initial problem with the property resulted from a ruptured tank in the removal process. The company immediately went bankrupt and the Commonwealth placed a \$177,000 lien on the property which has been vacant since then.

Phase I resulted in a cost estimate from CMRPC (who funded the research) and indication that more research would be needed before remediation. Fuss & O'Neill recommend the removal of the existing garage, disposal of hazardous materials on the surface at an estimated cost of between \$277,900 and \$420,000 (depending upon contingencies and future use of the property).

8. **LETTER OF CONGRATULATIONS & APPRECIATIONS TO PVPC ON THEIR 50TH ANNIVERSARY OPEN HOUSE MONDAY APRIL 23, 2012/THANK YOU TO D. DURGIN & WELCOME TO E. NOSEK**

Mr. Heller moved to authorize the Chairman to sign a letter of congratulations and welcome to Ms. Erin Nosek, new Superintendent of Tantasqua Regional School District and Union 61; Mr. Comtois seconded; so voted.

Mr. Heller moved to authorize the Chairman to sign a letter to Mr. Daniel Durgin, outgoing Superintendent for Tantasqua Regional School District and Union 61 to thank him for his service to the Town; Mr. Comtois seconded; so voted.

Mr. Heller moved to authorize the Chairman to sign a letter to Pioneer Valley Planning Commission (PVPC) congratulating them on 50 years of service to the area communities; Mr. Comtois seconded; so voted.

9. **RFP FOR SAW MILL POND DAM PROJECT**

The Board announced that the Request for Proposal (RFP) for engineering services for the Saw Mill Pond Dam project will be advertised in May in the Central Register and that the deadline for submission of proposals is Wednesday, May 30<sup>th</sup> at 1:00 pm.

10. **PERFORMANCE REVIEWS**

The Board agreed to post a meeting for 8:00 am on Tuesday, May 1<sup>st</sup> when they will complete the performance reviews.

## 11. SOLAR PROJECT REPORT – R. HELLER

Mr. Heller said that Town Counsel had meet with EPG and members of the Solar Review committee yesterday to attempt an agreement. He did not have a report of the results of the meeting yet.

### Correspondence:

- Thank you – Arthur & Elizabeth Jay: Mr. O’Connell read the letter from the Jay’s indicating their pleasure at the quality and quantity of work done on their road (East Main Street) by the Highway Department employees.
- Status of House Bills: 1985; 2116; 358: A status report had been received from Senator Brewer’s office indicating the bill relative to qualifying manufactured homes as “Chapter 40B” housing was “buried”. Mr. Comtois will contact Sen. Brewer about re-introducing the bill as a home rule petition for Brookfield. The other bill was to set up a loan fund for dam safety repair and removal. It has cleared the House and has been sent to the Senate Ways and Means Committee. If passed, this could help Brookfield get a low cost loan for the Saw Mill Pond Dam project.

### Other:

- Request from Capital Improvement Planning Committee: See above under Appointments.
- CMRPC Legislative Breakfast: Neither Mr. Heller nor Mr. Comtois plan to attend the legislative breakfast.
- Special Town Meeting Article Discussion: The Board agreed to finalize the agenda and to issue notice that all articles must be submitted by 3:00 pm on Thursday, May 3<sup>rd</sup>.
- Change in Debt Service: Town Treasurer, Sheila Frangiamore reported on consolidation of debt service per the Selectmen’s previous request. She explained the interest rates on the Town Hall roof, the 2007 Crimson fire truck and the highway barn built in 2006. Only about \$24,000 would be saved if those debts were paid off this year. She said that she does not recommend paying of these debts early at this time because the Town is making more by investing this money. It is possible, though, that there could be some savings if the three loans were consolidated into one. She will check this out and report back for the Board’s May 8<sup>th</sup> meeting.
- Correspondence had been received from Mr. Russell Hicks of Connecticut who alleged an injury as a result of a hole in the newly constructed boat ramp area at South Pond. The information was forwarded to the State who had their contractor immediately fix the problem. Ms. Neylon will follow up with Mr. Hicks to let him know that he should contact the state for all claims.

**EXECUTIVE SESSION:**

Chairman O'Connell entertained a motion to enter into Executive Session citing Exemption 3 (see below) and to return to open session only to adjourn; Mr. Heller so moved; Mr. Comtois seconded; so voted with Mr. Comtois voting aye; Mr. Heller voting aye; and Mr. O'Connell voting aye.

**#3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;**

**ADJOURNMENT:**

At 8:45 pm, Mr. Comtois moved to adjourn the meeting; Mr. O'Connell seconded; so voted.

Respectfully submitted

Donna L. Neylon, Administrative Assistant

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