

**Town of Brookfield  
Selectmen's Meeting - Special  
Town Hall, Banquet Room  
Tuesday, June 12, 2012**

Chairman Comtois called the meeting to order at 8:30 am in the Kitchen of the Town Hall. Other members present: Mr. Heller and Mr. Thomo.

**Camera Operator:** None

**Press:** None

**Public:** Herb Chaffee, Highway Superintendent, Cindy Thompson, Highway Admin. Asst & Clerk to Board of Health; Betty Benoit, Town Accountant; Mike Seery, Board of Health member and Cemetery Superintendent; Arthur Jay, Chair of Cemetery Commissioners; Carolyn Phillips and Rose Carrier, members of the Recreation Committee; James Milner, employee of the Board of Health/Transfer Station and Cemetery Commissioners; John David Holdcraft, citizen.

*Agenda:*

1. **DISCUSSION: REGARDING POSSIBLE COMBINED POSITION (HIGHWAY, CEMETERY COMMISSIONERS, BOARD OF HEALTH/TRANSFER STATION, and RECREATION COMMITTEE); SAID PERSON TO HANDLE GROUND MAINTENANCE, ETC.**

Chairman Comtois began the meeting with reading the below e-mail from Sheila Frangiamore, Town Treasurer, who was attending a Treasurer/Collector's convention:

*Date: June 11, 2012*

*To: Board of Selectmen*

*From: Sheila Frangiamore, Treasurer*

*RE: Wage Authorizations and need for Procedures*

*It is my sincere opinion that despite being a paperwork nuisance to some, we need to immediately reinstate the use of wage authorizations and develop hiring practices and procedures that more closely adhere to State and Federal Laws and the advice of Town Counsel. Over the course of the last year it has become absolutely clear that we as a Town and "Business entity" must begin to establish strict procedures and firmer controls over our hiring practices in an effort to maintain proper adherence to compliance issues. My recommendation for initiating this process would be that there are no new hires until the beginning of the next fiscal year. Then beginning on July 1<sup>st</sup>, fiscal 2013 we initiate the following new hire practices.*

- 1) *All new positions must be posted regardless of number of hours or title of position. (This works to adhere to the call for transparency in government).*

2) *Before an individual can report to work the following criteria should be met;*

- a) *A Personnel Board approved Job description must be submitted along with a signed wage authorization.  
WAGE AUTHORIZATIONS – Should be filled out by the respective Department head, submitted to the Personnel Board for signed approval and then forwarded to the Select Board for signed approval and appointment.  
RATE of PAY and JOB TITLE - These are not arbitrary and must go through the Rate/Step and Grade process by the Personnel Board.*
- b) *The new hire should visit the Treasurer's Office to be sure all necessary documentation is met for compliance purposes.*
- c) *Then the new hire can report for work.*

*I regret that I am unable to attend this meeting as I'm sure there will be many questions, and reasonable arguments to be made regarding this proposal and I would be more than happy to address them all when I return to work.*

*Respectfully,  
Sheila Frangiamore*

Admin. Asst., Donna Neylon, explained that an earlier Board of Selectmen had authorized the department heads to not submit WAF's for individuals and positions already on the payroll but that we were supposed to use the WAF for all new hires and for all changes in position or rates of pay during the year. Unfortunately, this led to many WAF's "falling through the cracks". It was noted that many new hires not only didn't have the WAF but did not get vetted through the Personnel Board; part of this problem was that the Town didn't have an active Personnel Board. Betty Benoit, Town Accountant, agreed with Ms. Frangiamore's e-mail and said that the Auditors want to see WAF's for each step/grade for each employee.

Mr. Comtois entertained a motion that the Treasurer should devise a new WAF and forward it to all department heads for use to begin on July 1<sup>st</sup> or earlier; Mr. Heller so moved; Mr. Thomo seconded; so voted.

## **2. DISCUSSION: HIRING OF CASUAL EMPLOYEES**

Section 3 of Chapter XV: Personnel By-Law indicates that:

"All positions subject to the provisions of this by-law shall fall into one of the following categories:

- (A) **Full Time**: An employee whose regular and continuous work schedule consists of at least thirty-five (35) hours per week.
- (B) **Part Time (20-35)**: An employee whose regular and continuous work schedule averages more than twenty (20) but less than thirty-five (35) hours per week for a fiscal year.

- (C) **Part Time (less than 20)**: An employee whose regular and continuous work schedule averages less than twenty (20) hours per week for a fiscal year.
- (D) **Casual**: An employee hired for irregular or occasional employment.
- (E) **Temporary or Seasonal**: An employee hired for a specific period of time (not to exceed 6 months)”

The Highway Department, in an effort to “think outside the box” had submitted a suggestion that a certain position be merged into one. It suggested that the position of laborer for the Cemetery Commissioners and for the Board of Health at the Transfer Station be merged into one and that, to make this a full-time position, the individual work the balance of the year for the Highway Department. This would eliminate the Town paying unemployment benefits to one or two individuals through the winter when they could be gainfully employed and serving the Town. This idea was discussed at a meeting in February and discussion leaned toward the Highway Department absorbing this person and it being a full-time position.

The following is the current hours spent mowing and weed-whacking by various departments in the Town:

- The Cemetery Commissioner’s employee works 30+ hours/week during the summer season.
- The Board of Health’s laborer works 8 hours/week year round at the Transfer Station.
- The Recreation Committee’s laborer works 5 to 10 hours/week for three seasons.
- The Highway Department spends 20 to 25 hours/week during the summer season mowing and weed-whacking.

The above positions all fall either under the “Casual” or the “Temporary or Seasonal” positions defined above.

Ms. Phillips, representing the Recreation Committee said that their members were not “overly comfortable” with this merger. They are very pleased with the work being done by their current employee and she called his work “phenomenal”. She further indicated that “he knows our schedule and knows what to do” and that they were “uncomfortable in handing this off and having no control”.

At this time, although there was not vote, it seemed to be the consensus of the group to not include the Recreation Committee in a possible merger of positions.

It was learned that the Cemetery employee receives about \$6,000 in unemployment benefits throughout the winter. Mr. Jay, Cemetery commissioner said the job takes 30+ hours from April through November and he would like to have this person work for the Highway through the winter months. He doesn’t believe in unemployment; it is “better to keep the employees working”.

The question was raised of “what could this position do for the Highway during the winter” and the answer was that he/she could help with many projects (depending upon their qualifications) but could assist the department in completing a state-mandated inventory of roads, drainage, etc. This is a large, time-consuming project.

Mr. Seery suggested combining all of the positions, except the Cemetery, into one “mowing position”. Mr. Milner agreed and indicated that the 54” mower is too big for the cemetery. He said that the 42” mower currently moved “just fits”.

Questions raised but not answered:

- How to legally pay a merged position (need a different line-item in the budget);
- What are the costs of a part-time employee;
- What are the Town’s obligation to the employee;

Ms. Carrier said that she liked Mr. Jay’s idea of the person going from the Cemetery to the Highway for the winter.

Mr. Jay felt that, at this time, no decision could be made as there were too many issues to be worked out. Mr. Comtois said: “do we want our Highway employees mowing or working on our roads?” Ms. Thompson said that the primary concern for her was safety. She said that one employee working off in some part of town needed to have someone to check in with; someone should know where they were in case of emergency.

It was decided that the next step would be for the Administrative Assistant and the Treasurer to compile a list of persons who hold two or more appointed and paid positions and include their names, positions, wages, benefits, hours. A partial list was created during the meeting:

- Highway Dept/Board of Health Cemetery
- Cemetery laborer and Board of Health/Transfer Station
- Municipal Clerk to Board of Selectmen & Treasurer (adding possibly clerk to Planning Board)
- Admin. Asst. to Police and Water Depts.
- Clerk to Tax Collector and Treasurer

The discussion was concluded with Mr. Jay commenting that he “knows that if we had a problem at the Cemetery, the Highway would be right there to help”.

*Other:*

**1. ANNUAL TOWN MEETING – ARTICLE 22:**

Mr. Comtois asked those present what their feelings were about the defeat of Article 22 (Quaboag River Bridge reconstruction project) and if they felt the Selectmen should bring the issue before the voters again or drop the matter. He said that the Board of Selectmen would hold another discussion at their June 19<sup>th</sup> meeting and may ask for a Special Town Meeting in the fall.

All of those present were in favor of another presentation to the voters. Mr. Chaffee said that he has documents showing a 60 foot right-of-way along Route 148 (Fiskdale Road) and said that the thought the Town needed to resolve the question of “where are the other 30 feet” (since the road only takes up about 30 feet). He said we need a survey to resolve the question.

It was agreed:

- There was a lack of information at the Annual Town Meeting
- Need to address the safety issue
- The actual width of the current bridge is needed
- People think the road is a state road because it is a numbered route

Selectmen asked Ms. Neylon to contact the Building Inspector and Zoning Enforcement Officer to see if they have or can get something showing the property lines of Whites Landing.

Mr. Comtois said that the State is willing to give the bridge a “face lift” but those present said they wanted the Selectmen to pursue the new bridge, have another public hearing and another Special Town Meeting.

Mr. Comtois said he could call Mr. Maury Tayarani, DOT Project Manager for the Route 148 Quaboag River Bridge project for the timeline. The Board agreed to bring this up at their June 19<sup>th</sup> meeting and, in the meantime, to send out an e-mail to department and committee heads asking for questions that still need to be answered.

**2. REQUEST FOR CHANGE IN ALCOHOL LICENSE – CARMELLA’S ITALIAN KITCHEN D/B/A CARMELLA’S**

Mr. Sean Fitzpatrick and his father Mr. Martin Fitzpatrick, Manager of Carmella’s have been in contact with the state Alcoholic Beverages Control Commission (ABCC) and have presented to the board the papers necessary for a change to their license. The change, if approved, would allow an alteration in the size and location of their outside patio; they want to add a 5 x 15 fence. Use of this added patio area was for certain fundraising events during the summer.

Mr. Heller moved to approve the change, pending the approval of the Building Inspector and the Zoning Enforcement Officer; Mr. Thomo seconded; so voted.

**ADJOURNMENT:**

At 9:48 am, Mr. Heller moved to adjourn the meeting; Mr. Thomo seconded; so voted.

Respectfully submitted

Donna L. Neylon, Administrative Assistant

Approved: July 24, 2012