

**Town of Brookfield
Selectmen's Meeting
Town Hall, Banquet Room
Tuesday, August 21, 2012**

Mr. Comtois called the meeting to order at 6:00 pm with Mr. Comtois entertaining a motion to enter into Executive Session citing Exemption #1 and then to return to Open Session to conduct other business on the agenda; Mr. Thomo so moved; Mr. Comtois seconded. Mr. Heller asked the purpose of the Executive Session. He said that he had been present at the Town Hall when Town Counsel called with concern about this Executive Session. Mr. Heller said that Counsel “saw a cliff in front of us” and felt compelled to call. Counsel felt that the subject to be discussed does not fit into the Exemptions. Mr. Comtois stated that the issue to be discussed is “not the issue previously discussed, it is something else”. Mr. Comtois explained that the purpose of the Executive Session is to “clarify and discuss a situation that happened”. Mr. Heller read an excerpt of the exemptions that indicated that the purpose of the session must be given so Mr. Comtois said that the purpose had “nothing to do with volunteerism”. Mr. Heller urged his fellow members to vote NO. The motion was so voted with Mr. Heller voting nay; Mr. Thomo voting aye and Mr. Comtois voting aye.

Exemption #1: 1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

The Selectmen moved to their office to conduct the Executive Session and at 6:47 pm returned to the Banquet Room. Mr. Comtois entertained a motion to continue the meeting in open session; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Chairman Comtois led the group in the Pledge of Allegiance. Other members present: Rudy Heller and Nicholas M. Thomo.

Camera Operators: Sharon Mahoney

Press: Jennifer Grybowski, Karen Trainor

Public: Barbara Wilson, John David Holdcraft, Donald Taft, Betty Benoit, Michael Seery, Philip Peirce, William R. Simpson, Bruce Clarke, Kermit Eaton, Tim Roughan, William Scanlan

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

Agenda:

1. TOWN ACCOUNTANT RE: FUNDING FOR STM ARTICLES

Ms. Louise E. (Betty) Benoit was present to answer any questions that the Board might have regarding the funding of the articles on the DRAFT Warrant for the September 7, 2012 Special Town Meeting (STM). She presented the Board with a FY 13 Levy Sheet (see attached) and explained that since the Federal reimbursement from the October 2011 storm had not yet been received the only option for funding of these articles was from Stabilization. She recommended that the Town not spend more than \$350,000 from the \$663,792 currently in Stabilization.

2. FRIENDS OF THE TOWN HALL – W. SIMPSON

Mr. William R. Simpson, member of the Municipal Facilities Planning Committee, was present to introduce a newly formed group to the Selectmen. This group, Friends of the Town Hall, is newly incorporated and their goal is to raise funds towards the renovation of the Town Hall. They already have a website and have begun raising pledges and seeking grants. Mr. Simpson gave the Selectmen a formal letter requesting a letter of support; attached was the Friends' case for the renovation of the Town Hall (see attached).

Mr. Simpson said that the letter of support from the Selectmen would be used to assist in raising money. Mr. Heller moved that the Selectmen should sign such a letter and to support every effort to save the Town Hall; Mr. Thomo seconded; so voted.

Before Mr. Simpson left, he requested the Selectmen's permission to speak with the Town Accountant and Treasurer regarding setting up a gift account. Said permission was given unanimously.

3. REVIEW SOLAR PROJECT & PROPOSED CONTRACT WITH SOLAR REVIEW COMMITTEE

Members of the Solar Review Committee (Tim Roughan, Bill Scanlan, Bruce Clarke, and Rudy Heller) were present to review the status of their project and ask for an article to be placed on the Special Town Meeting warrant for September 7, 2012. Mr. Heller introduced the members and thanked Bill Scanlan for his help with the RFP (Request for Proposals), Tim Roughan for his extensive knowledge of the subject at hand, and Rick Holland, Esq. of Kopelman and Paige (Town Counsel).

Mr. Roughan, member of this committee, acted as the spokesman and presented the Board with three company solar comparison chart (attached) and explained that the committee chose EPG Solar, Inc. Also presented (and attached) was a

copy of an e-mail dated August 21, 2012 from EPG Solar that re-capped the project.

Mr. Roughan explained that there were many more solar projects proposed in Massachusetts today than previously, causing an oversupply. The committee chose a fixed price option and a \$6,000 lease/year with a PILOT agreement (Payment in Lieu of Taxes). The PILOT agreement was put together with the assistance of Philip Peirce, Chairman of the Board of Assessors. There will be about a \$41,000 value to the Town annually over 20 years. The committee feels this is a positive value to the Town.

He explained that the next step is to get a Special Permit from the Planning Board. At the end of the contract period the Town may have the option of an outright purchase of the equipment or re-negotiate the contract.

At this time, the Solar Review Committee by motion from Mr. Clarke and second from Mr. Scanlan voted unanimously to recommend the PILOT to the Board of Selectmen.

Mr. Heller moved to accept the recommendation of the Solar Review Committee and place an article (as received from Counsel Rick Holland) for the PILOT agreement on the STM for September 7th; Mr. Thomo seconded; so voted.

4. **SIGN WAGE AUTHORIZATION FORMS THAT HAVE BEEN APPROVED BY PERSONNEL BOARD** -- Passed over.

5. **LETTER FROM PERSONNEL BOARD** --Passed over.

6. **RATIFY PERMISSION FOR TOWN CLERK TO CONTACT TOWN COUNSEL**

Chairman Comtois explained that he had given the Town Clerk permission to contact Town Counsel following the receipt of the Citizen's Petition for an article on the 9/7/12 STM and he asked the Board to ratify this action; Mr. Thomo so moved; Mr. Heller seconded; so voted.

7. **SIGN/APPROVE – PRE-HAZARDOUS MITIGATION PLAN**

Mr. Thomo moved for the Board to accept the Pre-Hazardous Mitigation Plan as presented by Central Massachusetts Regional Planning Commission (CMRPC) and to sign the requested Certificate; Mr. Heller amended the motion to include the document be passed along to the Planning Board to be incorporated into the Master Plan; Mr. Heller seconded; so voted.

8. REVIEW/APPROVE DRAFT POLICY FOR TOWN COMMON & MALL

Mr. Comtois said that he didn't feel a need for this policy and that he felt it was "over reaching". Mr. Heller said that the Policy was only a definition of how the Common is to be used and he moved to adopt the policy as drafted. There was no second and the motion was defeated. Mr. Comtois suggested that the policy be kept on file for possible future use.

9. SAW MILL POND DAM - STATUS

Mr. Comtois said that he was finally able to contact someone at the ODS (Office of Dam Safety) and learned that we do not need to take care of the brush, etc. at this time and thus will not need a NOI (Notice of Intent) from the Conservation Commission. Lenard Engineering was contracted for a Phase II and will give their recommendations on the next step. The Highway Department will be advised of the change in plans as they were attempting to schedule the work.

10. APPOINTMENTS/RESIGNATIONS:

(Appt: CIPC (Sharon Mahoney & Heather Lemeiux); Mr. Comtois announced, in response to a question that was raised at a previous Selectmen's meeting, that the appointments to the Capital Improvement Planning Committee (CIPC) were in compliance with the Town's by-laws. Mr. Heller moved to appoint Sharon Mahoney to a term to expire on June 30, 2015 and to change the expiration date of Heather Lemieux's term to June 30, 2013; Mr. Thomo seconded; so voted.

Historical Comm. (resign) Tracy Comtois;

Mr. Comtois entertained a motion to accept the resignation of Ms. Tracy Comtois from the Historical Commission with regret and to send a letter of appreciation; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Possible Cable Access Committee Appt; No applicants were received and this was passed over.

Appt: EMT-Basic Ashley Marks);

Mr. Heller moved to appoint Ms. Ashley Marks as an EMT-Basic with a term to expire on June 30, 2013; Mr. Thomo seconded; so voted.

11. SIGN CEMETERY DEED

Mr. Heller moved to sign the Cemetery Deed Number 298 for Lot (8 x 12) Number 63A, Section B, in the Brookfield Cemetery, sale to Clement H. Porter II at a cost of \$800 with Perpetual Care charges of \$700; Mr. Thomo seconded; so voted.

12. GRANT PERMISSION FOR RECREATION COMMITTEE 5K ROAD RACE (9/23/12)

A request was received from the Recreation Committee for permission to hold a 5K road race as part of their annual Family Fun Day on September 23rd. Mr. Heller moved to authorize the race; Mr. Thomo seconded; so voted. Mr. Heller asked that when the Recreation Committee was advised of the permission that they be reminded of an organization called “Back of the Pack” that can help (as suggested by Police Chief Blanchard). Their web link is: <http://www.livelovelaughandplay.com/backpack2/>

13. CONSIDER COOPERATIVE HEATING OIL BID VS. STATE BID

This was passed over as it was understood that it was too late to take part in the cooperative but it was agreed that this could be considered for the 2013-2014 heating season.

14. CONSIDER COMPUTER CLASSES FOR EMPLOYEES

Mr. Heller had asked for this to be discussed as he had noticed charges on the Computer Maintenance Account for services that the employees ought to be able to do themselves. He said “we are spending money on basics” and requested the Board’s permission to compile data on the cost of classes in an effort to determine if the classes would be beneficial and cost efficient. Mr. Comtois and Mr. Thomo agreed with the concept.

15. CMRPC GRANT WRITING OPPORTUNITIES

Correspondence was received from CMRPC indicating areas where they could help with grant writing (Brownfield, CIC (Community Innovation Challenge), and CDBG (Community Development Block Grants). The Board agreed to forward a copy of the letter to the CDBG Advisory Committee and Mr. Heller will draft a response letter.

16. REVIEW/SIGN FEE PROPOSAL FOR A FEASIBILITY STUDY FOR A NEW POLICE HEADQUARTERS

It was agreed that a proposal could not be signed at this time as the voters had not given permission for the project to proceed. This will be placed on the next agenda after passage at a Special Town Meeting.

Mr. Heller reported that CIPC Chairman, Kermit Eaton, brought to his attention that his committee had not seen a copy of the draft warrant and understood there was some capital improvement purchases involved. Mr. Comtois entertained a motion to send the CIPC a copy of the draft warrant; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Mr. Eaton said that his committee wanted to look at all capital requests in excess of \$5,000 so that they could consider the costs involved and justification. They are “fair, consistent, and not arbitrary” and want to remind all departments to forward their requests to the CIPC. They will have liaisons to the departments and will make every effort to help the Department Heads and not be a detriment to them. They are asking for a 5-year plan from all departments.

The Police Station feasibility study is to evaluate the location of a station at the property recently purchase by the Town and known as 7 Prouty Street. This property abuts the Town Hall complex. The current plan is for the station to be about 6,000 square feet and would include a sally port but not holding cells. The cost is estimated to be about 1.5 million dollars.

17. QQLA BOAT PARADE (JULY 7, 2013) – GRANT PERMISSION FOR USE OF PUBLIC ADDRESS SYSTEM

Mr. Heller moved to authorize the use of the Jeppson Beach at Quacumquasit Pond (South Pond) on July 7, 2013 for the QQLA’s boat parade, allow the use of a public address system and the temporary removal of the swimming buoys; Mr. Thomo seconded; so voted. The QQLA will take care of all clean up after their event and no fishing derbies will be scheduled for this day.

18. DRAINAGE PROBLEMS AT TOWN HALL

Selectmen Heller and Thomo and MFPC member Donald Taft had a chance to review the flooding situation in the Town Hall basement which has been increased recently because of the heavy rains. All agreed with the Municipal Custodian, William Thompson, that a solution must be found.

Mr. Taft drafted a letter to the Selectmen, outlining the problems and suggested solutions (see attached). It was agreed that the Custodian would be asked to try to address the problem of the leaking conduit pipe in the front of the building but, Mr. Comtois said that the other options were too costly at this time. It was agreed to send Mr. Taft’s letter to the CIPC for their suggestions.

19. STATUS: FIRE DEPARTMENT ROOF REPAIRS – S. COMTOIS

Chairman Comtois said that he is in contact with the head of the Tech Department at Tantasqua Regional High School and was assured that if there was nothing on their schedule the students would be able to come this fall to put the new roof on the Fire Department.

20. DISCUSS DRAFT AUDIT REPORT AND DETERMINE ACTION

This was passed over to the September 18th meeting.

21. FINALIZE & SIGN WARRANT FOR STM/DISCUSS INFORMATIONAL MEETING/STRATEGY

Mr. Heller moved to exclude all articles from the September 7, 2012 STM Warrant except those relating to the Quaboag River Bridge and the Solar project because produces revenue; Mr. Heller further moved that the excluded articles be moved to a November Special Town Meeting when revenue figures would be finalized; Mr. Thomo seconded; after some discussion the motion and second were withdrawn and the Board agreed to vote on each article individually.

Articles & their votes (numbers of articles are as they appear in the DRAFT warrant) (all motions were by Mr. Heller, seconded by Mr. Thomo and so voted unless noted otherwise):

1. Bridge (as written by Town Counsel): leave on
2. \$7,500 center line painting –remove to November
3. accept October 2011 storm funding – delete, not needed
4. \$75,000 deficit – remove to November
5. Purchase 2 new vehicles and transfer ownership of 1 – remove to November
6. transfer funds to Cemetery, etc. – remove to November
7. hire part-time seasonal worker – remove to November
8. \$500 stipend for RHE COOP grant – remove to November
9. QQLA funding of \$5,000 – remove to November and withdrawn by Mr. Taft
10. Town Hall Copier (not to exceed \$6,000) – remove to November
11. Police Station Feasibility Study (not to exceed \$20,000) – remove to November
12. Lewis Field renovations (\$24,000) – remove to November
13. Late Bill (Alternate Electrical Inspector wages) – remove to November
14. Late Bill (1099's) – remove to November
15. Late Bill (Unemployment) – leave on
16. Citizen's Petition – leave on
17. Solar PILOT article – leave on

In summary, the Board decided to include only four articles in the Special Town Meeting Warrant. These articles are (as numbered above): #1, #15, #16, & 17.

According to motions entertained by Mr. Comtois, moved by Mr. Heller, seconded by Mr. Thomo and so voted, the Board agreed to recommend the following articles:

1. Bridge (#1 above)
2. Late Bill (Unemployment) (#15 above)
3. Solar PILOT (#17 above)

Mr. Comtois entertained a motion to not recommend the Citizen's Petition (#16) above; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Correspondence:

22. BURNER BOOSTER FROM CROWLEY

It was agreed that this should be investigated more fully and that someone from Crowley should be asked to come to a future Selectmen's meeting. Mr. Heller asked that the Board remember to consider geo thermal if there should be changes to the heating system in the future as this will be more cost efficient in the long run. The others on the Board agreed.

23. THANK YOU FROM TOWN OF CHARLTON – FIREFIGHTERS

The Board acknowledged receipt of a letter from the Town of Charlton thanking our firefighters for their assistance in a recent mill fire on Depot Road, Charlton. A copy of the letter will be sent to the Fire Department and placed in the Fire Chief's Personnel file.

24. E-MAIL FROM HIGHWAY SUPERINTENDENT REGARDING USE OF VOLUNTEERS

An e-mail from the Highway Department was received asking..”if this board of selectmen have adopted a policy regarding volunteering. In the past few years it seems that every committee & board in town has been looking for people to get involved in the town, serve on committees and bring new ideas to the table. Has this policy changed? We would like to receive a written copy of the volunteer policy.”

Mr. Comtois entertained a discussion on the use of volunteers and asked “are they welcome?” He noted that he had volunteered in several instances. Mr. Heller thought that volunteers were welcome and pointed out that they are covered under the Town's liability policy but not under Workers' Compensation policy. It was agreed to ask the Town's insurance agent if there was Workers' Comp. coverage available at a reasonable cost.

Mr. Thomo said that some Town's don't allow volunteers in certain departments. He also stated that some towns have a program where tax payer/volunteers can work off some of their taxes.

Mr. Comtois said that he did not want to discourage the use of volunteers.

25. REGISTER FOR THE 4TH ANNUAL REGIONALIZATION CONFERENCE (9/10/12, HOLY CROSS, WORCESTER)

Registration for this conference will be left up to the Selectmen. At this time, only the Administrative Assistant is planning to attend but Mr. Thomo will try.

26. DATE/AGENDA FOR NEXT REGIONAL SELECTMEN'S MEETING (9/20/12)

The Board members did not have anything to add to the agenda; Mr. Comtois cannot attend Thursday evening meetings and Mr. Heller will be out of the country on September 20th. Mr. Thomo will plan on attending.

Other:

27. SIGN PETITION W/27 OTHER COMMUNITIES RE: MUNICIPAL AGGREGATION OF ELECTRICITY (HAMPSHIRE COUNCIL OF GOVERNMENTS)

This is a follow up to a vote taken at the November 2011 Special Town Meeting so Mr. Comtois entertained a motion to sign the petition; Mr. Heller so moved; Mr. Thomo seconded; so voted.

28. ISSUE THANK YOU LETTERS TO FIRE DEPARTMENTS OF EAST, NORTH & WEST BROOKFIELD, AND SPENCER AND TO BRIMFIELD AMBULANCE

Mr. Comtois entertained a motion to authorize him to sign thank you letters to each of the Fire Departments of Spencer, East Brookfield, North Brookfield, and West Brookfield and to the Ambulance Department of the Town of Brimfield for their able assistance at the Quaboag Street fatal dwelling fire of August 13, 2012; Mr. Heller so moved; Mr. Thomo seconded; so voted.

ADJOURNMENT:

At 8:43 pm, Mr. Heller moved to adjourn the meeting; Mr. Thomo seconded; so voted.

Respectfully submitted

Donna L. Neylon, Administrative Assistant

Approved: September 4, 2012