

**Town of Brookfield
Selectmen's Meeting
Town Hall
Tuesday, August 28, 2012**

Mr. Comtois called the meeting to order at 5:30 pm in the Selectmen's office and discussed the informational meeting scheduled for 6:30 pm tonight with Town Counsel, Patricia Cantor.

Chairman Comtois reviewed how he intended to hold the information meeting. The Board reviewed the handouts prepared by Mr. Comtois and gave their suggestions and comments.

At about 6:25 the meeting was recessed and moved to the Banquet Room upon the motion of Mr. Heller; seconded by Mr. Thomo; and so voted.

Due to the large number of people attending, and the time it took for them to sign in and pick up handouts, the start of the meeting was delayed until about 6:40 pm when Chairman Comtois led the group in the Pledge of Allegiance and a moment of silence in honor of recently passed and much loved resident and former Selectman, Joseph "Joe" Murray. Other members present: Rudy Heller and Nicholas M. Thomo.

Camera Operator: Sharon Mahoney, Kevin Erkkila

Press: David Dore

Public: The following list is from the sign in sheet, not all signed in and some signatures were not legible: Allen Martell, Mike Bastoni, John Byatt, Karen O'Rourke, Jeffrey Shrimpton, Donna Lafleur, Gene Fry, Jane Heinze-Fry, John David Holdcraft, Marie Pecore, Jeanne Myers, Marlaine Burbank, Lindsay Holm, Robert Gilchrist, Glenna Pearson, Brenda McElroy, Monika Schlick, Sandy Couture, Ron Couture, Bethany Roberts, Don Roberts, E. Manning, William Pratt, Maury Tayarani, Robin Giando, Cynthia Labonte, Norman Labonte, GT. LeBlanc, Karen Simpson, Kathleen Wild, John Wild, John F., Wm. J. Simpson, Charlie Knox, Carol Williams, Dottie Metterville, Dennis Metterville, James Spaulding, Phil Trudell, Jill Bertrand, Ed Boucher, Michelle Taylor, Steve Taylor, Mary Beth Harrity, Pauline Merrick, G. Bertrand, D. Jacques, L. Jacques, Dan Leahy, William R. Simpson, Linda Johnson, Virginia Becher, Bill Hayes, Robert Koll, Dionyvan Geruen, Don Taft, Mary Lou Knight, Paul J. Ayers, Deborah Ayers, Linda Peirce,, Bruce Clarke, Lucy Beeman, Philip Peirce, Evans King, Jeannette Krans, William C. Krans, Peter Martell, A. Patricia White, Peter O'Connell, Donald Faugno, Patricia Cantor

Since this was a Special meeting, posted as an Informational Meeting, no votes were taken and there was no designated Public Access period.

Agenda:

1. DISCUSSION: QUABOAG BRIDGE PROJECT

At the request of Mr. Comtois, the following individuals introduced themselves:

- Robin Giando, MassDOT – Highway Div./Right of Way
- Maury Tayarani, MassDOT – Accelerated Bridge Program
- Mike Bastoni, MassDOT – Environmental Services
- Jeffrey Shrimpton, MassDOT - Environmental Services
- John Byatt, CLD, MassDOT’s Design Consultant
- Karen O’Rourke, CLD, MassDOT’s Design Consultant

Following introductions, Chairman Comtois explained that there would be no votes taken tonight, just questions and answers, evening would be orderly and those wanting to speak should line up to use the microphone after first introducing themselves.

Mr. Comtois reviewed the page of facts and then the packet of six pages (see attached). Below is a list of some of the questions and answers from this meeting:

1. Are sidewalks mandatory? No
2. Are breakdown lanes mandatory? Yes
3. Is the width of the breakdown lane mandatory? Yes
4. Why doesn’t the CSX Bridge have a breakdown lane on the West side? Unknown
5. Will the two bridges be the same width? Yes
6. How much of a grade will there be for Whites Landing (WL)? 1 foot
7. Will the grading put WL out of business? No, the grade will level off
8. Will the bridge close during construction? No, there will be a lane open; it will be handled like the construction of the CSX Bridge.
9. Why is there a sidewalk on the western side? It was requested (Historical) because people enjoy this view best and it will include historical signage. We do not want people crossing the bridge. The sidewalk on the western side is a continuation of a future plans for a sidewalk to extend to Long Hill Road.
10. Who cares who owns that land (properties listed as “owner unknown”). We do because we have to in order to proceed with the project.
11. Why are we discussing a massive, huge bridge instead of just replacing the small bridge that is there? There is no current design for a superstructure. Replacing of the small bridge in that manner would only give a maximum of 25 years whereas as complete new reconstruction gives us a minimum of 75 years. We have to rebuild “up to code”. Rebuilding what is there, versus a new construction, would not change the bridge capacity which is an issue with local Highway, Fire trucks and school busses. Whether the bridge is re-build on the old foundation or a new bridge is built, we still have to have all of the same easements.
12. Why is the bridge, road so wide? To follow State regulations.
13. How will parking at WL be affected? We don’t know as the owner of WL has never given us the requested parking plan although we have requested it.
14. Has the State’s design been subjected to the environmental review? MassDOT is in early coordination with MassWildlife but this cannot be completed until we have the final plans vetted through Clean Energy Endangered Species, etc. We

- need the final scope of work and design first. We have met with Fisheries and Wildlife, Canoe Access, etc. and will apply for the necessary permits once the decision has been made by the Town. There will also be a public review and comment period.
15. What is the difference between the temporary and permanent easements? Temporary Easement is used for grading, access, etc. and the land is returned to the owner. It is never actually taken; ownership/title does not change. Easements give permission to use the property for the purpose of the project.
 16. What if the owners don't give their permission? Permission can be given through the courts (as in the "owners unknown" property). If a property owner is unwilling to enter into an easement, the Town has to go through a process of giving "eminent domain". We would have to "give notice" to the owner, the property would then be "taken" (legal term), a fair and just offer would be made to the owner who would have the right to contest the amount. If then no agreement, the matter would proceed to court for the court to determine fair compensation. The amount of \$30,000 in the Article for the 9/7/12 STM is the entire amount for all of the properties.
 17. Can the project be done without eminent domain? Yes, like we did with the Kroll property (a/k/a Mundell) but this was with the agreement of the heirs of Mr. Kroll in lieu of many years of past due taxes. There will be no permanent easement except for the guard rails in front of WL. MassDOT will NOT use WL for a staging area as there is plenty of land nearby (including on Mill Street next to Mill-Station Park). All work will be coordinated with the property owners.
 18. What happens if we don't do the bridge? The next step may be for a superstructure (rebuild from the foundation up) but the best deal is for the long term, the new construction. If the bridge is determined to be structurally unsound, we would have to restrict vehicles. Two thirds of the Town is on the southern side of the bridge/river. This is a structural and a safety issue. More than half of the firefighters and EMT's live on the southern side of the river but the equipment is stored on the northern side.
 19. Why is the road shifting? It is being straightened to improve the light of sight and is moving AWAY from WL.
 20. The new weight limits from the improved bridge will increase heavy truck traffic on Route 148. No one knew what can, if anything, be done about this.
 21. Is it possible for the Selectmen to provide some written assurance that there will be no taking of WL? Counsel will determine if this is possible. There is also a slope easement that could be permanent (besides the easement for the guard rails). The slope easement area is currently brush. The slope might need to change. A temporary easement is usually for three years. Assurances could be worked out through the good will of the Selectmen and the owner of WL. Based upon what is in the parcel summary and tonight's discussion, ownership of land wouldn't change. The Selectmen do not want to take ownership of any property.
 22. Who will own the bridge once it is completed? The Town will continue to own the bridge.
 23. What will be the speed limit once the bridge is done? It will not change.

24. Please give a clarification on the proposed retaining wall at WL. The property will have to be raised about 1 ½ feet. The paved parking was removed from the plans at WL's request and will be replaced with the requested gravel.
25. Will WL still have access to the river? Yes.
26. Will there be no change in WL's parking? We believe so; again, no plans were submitted so we don't know for certain.
27. Comment: We need to keep a structure that keeps both sides of town open for busses, trucks, etc. Brookfield can't afford to pay for a bridge design or construction ourselves. The more sidewalks the better. We've already had two fatalities in this area. People standing on the bridge taking photos or painting could use the sidewalk/viewing area. The bridge is needed for the safety of the Town and shouldn't be rejected for the interests of one person. (at this point, there was considerable audience applause)
28. Where will the staging area be? Probably near Mill-Station Park, at the end of Mill Street and close to the CSX Bridge.
29. How long will the project take? Two construction seasons.
30. What is the weight difference between our fire trucks and the large tank trucks? Unknown.
31. If Route 148 is zoned "rural residential", can we put up "no through truck traffic" signs? Unknown.
32. What will be the cost to the taxpayer once the environmental and design plans are done? The project is being paid for by the State. The only direct cost to the Town of Brookfield is the \$30,000 for easements in the Special Town Meeting Article.
33. Is it possible to vote by absentee ballot? No, at an open town meeting, you must be present in order to vote.
34. Do we need a simple majority for the article to pass? No, a two-thirds vote is mandatory.

Chairman Comtois stated that all three members of the Board of Selectmen support the passage of this article. If the project has to be paid for by the Town, the costs will be well over \$1 million.

Mr. Heller said that if there were still questions that were unanswered, the Board encouraged people to contact the Selectmen's office or come to the Public Access portion of the Board's September 4th meeting.

ADJOURNMENT:

At 7:58 pm, Mr. Comtois entertained a motion to adjourn; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Approved: September 4, 2012