

**Town of Brookfield
Selectmen's Meeting
Town Hall, Banquet Room
Tuesday, October 30, 2012**

Selectmen present: Mr. Comtois, Mr. Heller, Mr. Thomo.

Mr. Comtois called the meeting to order at 6:01 pm and entertained a motion to Adjourn to Executive Session under Exemption 1 (see below) and return to Open Session to conduct regular business; Mr. Heller so moved; Mr. Thomo seconded; so voted with Mr. Thomo voting aye; Mr. Heller voting aye; and Mr. Comtois voting aye:

Exemption #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.”

At 6:27 pm, Chairman Comtois called the meeting back to order and led the group in the Pledge of Allegiance. Other members present: Rudy Heller, Nicholas M. Thomo.

Camera Operators: Sarah Heller

Press: Karen Trainor

Public: Bill Simpson Sr, Bill Simpson Jr., Mary Lou Knight, Sheila Frangiamore, Clarke Rowell from Unibank, Barbara Wilson, Donald Taft, Mike Seery, Dave Holdcraft, Cindy Mundell, Roger Mundell, Herb Chaffee.

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

APPROVAL OF WARRANTS:

Chairman Comtois entertained a motion to ratify the following Expense Warrants; Mr. Heller so moved; Mr. Thomo seconded; so voted:

RATIFY EXPENSE WARRANT for 10/23/12: \$24,853.60 and 2012 Real Estate Refund for \$165.31; 2012 Motor Vehicle Refund for \$30.70 and
RATIFY EXPENSE WARRANT for 10/24/12: \$462.55

APPROVAL OF SELECTMEN'S MINUTES:

This was passed over.

MONTHLY REPORTS & MINUTES OF OTHER DEPARTMENTS:

Mr. Comtois entertained a motion to acknowledge receipt of the below listed monthly reports and minutes of other departments; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Recreation Committee: 10/02/2012

ANNOUNCEMENTS:

Chairman Comtois read aloud the announcements which included a reminder of the November 1, 2012 Special Town Meeting, notice of the Presidential and State Election to be on Tuesday, November 6th, and a plea for the Ecumenical Food Pantry.

Public Access Period:

No one took advantage of the public access period.

Agenda:

1. PRESENTATION ON FINANCIAL ADVISORY SERVICES BY UniBank REPRESENTATIVES AND S. FRANGIAMORE, TREASURER

Sheila Frangiamore, Town Treasurer, and Clark Rowell, Vice President of Unibank, made a presentation about Unibank and the services that they can provide the Town. The Board decided to table the decision until our next meeting.

Ms. Frangiamore and Mr. Rowell explained the various ways the town can find financing, explained any fees associated with this contracted service are built in to the cost of instruments of lending (i.e. bonds, treasury notes). The Town can utilize the bank's services to talk with committees, get advice, etc. They will do research for us to find bonds, etc. With least impact to the Town. Intricate knowledge of bonds; is a bank. Most municipalities have a financial advisor, no matter the size, as this is highly specialized information and usually above and beyond scope of a Town Treasurer.

2. PRESENTATION ON CPA by W. SIMPSON

Mr. William R. Simpson who is both a member of the Municipal Facilities Planning Committee and Presidents of the new organization called Friends of the Brookfield Town Hall, gave the Board an "overhead" presentation on why the Town should vote to place the Community Preservation Act (CPA) article on the ballot for the May 2013 Election. He explained how the CPA works, the exemptions allowed and how much money could be raised for renovation of the

Town Hall. The Article on the November 1st Special Town Meeting Warrant, if passed, would allow the question to be placed on the Ballot. If the ballot question passes, then the CPA provisions would take place in time for the Fiscal Year 2013 budget.

3. **PLOWING OF PRIVATE WAYS – HOLD HARMLESS CLAUSE RETURN, VOTE ON WHICH PRIVATE ROADS TO PLOW AND WHICH NOT TO PLOW (ADDITIONAL TO VOTE OF 10/16/12) (INCLUDING MEL LAND AND OTHERS)**

The Board reviewed Guidelines for Plowing Private Ways as submitted to them by Highway Superintendent, Herb Chaffee.

Guidelines for Plowing Private Ways:

- The Town has accepted Chapter 40, Section 6C in May 1977. This allows the Town to plow private ways. The private way must be open to public use and the Selectmen must vote annually to plow it.
- The Town Counsel recommends a Hold Harmless Clause be received by the Town each year prior to plowing, from each abutter on a private way.
- The private way must be wide enough (brush and trees trimmed back) so as not to damage Town equipment.
- The surface of the private way must be in fair condition, again so as not to cause damage to Town equipment.
- Repairs to private ways must be completed before November 15th of each year.
- All overhead wires must be of a height not to impede the travel of Town vehicles.
- Private ways must easily accommodate the turning around of Town vehicles at the end.
- Private ways may not terminate in a driveway.

Mr. Thomo moved to adopt the above discussed Guideline for Plowing Private Ways as its policy for plowing private roads; Mr. Heller seconded; so voted.

The following is a list of the current private ways with a notation at the end as to the location and an asterisk (*) if currently plowed by the Town.

Barefoot Lane	Beach Street	Brunnell Ave*
Chestnut St. *	Countrywood Circle	Draper St.*
Forest Street*	Lakeside Ave*	Lakeview Ave
Lakeside Circle	Spruce Lane	Lane 21*
Lane 22	Lane 23	Letendre Drive
Hemlock Ridge Road	Limerick Ave	Marshview Rd.
Oak Ave*	Ward St. *	
Butler Ave (off Central St.)	Buxton Hill Road (off E. Main St.)	
Central Ave (off Boyes Ave)	Crotty Ave (off W. Main St)	

Joe Goddard Road * Mel Lane (off Devils Elbow)
Quaboag Lane (off Quaboag Street)(current residents: Luce & Sanborn)
Woolcott House Road (off Lake Rd.)
Village Drive (across from Clam Box/Rte 9)

Brookfield Meadows (Park):

Deer Run Fox Run

Nanatomqua Park:

Nanatomqua Drive	Tyler Street	First Street
Second Street	Third Street	Fourth Street
Fifth Street	Sixth Street	

Wagon Wheel Park:

Buckboard Pass	Conestoga Trail	Longhorn Trail
Maverick Drive	Maverick Dr. Ext.	Prairie Schooner
Stagecoach Drive	Surrey Lane	Wagon Wheel Dr.
Westward Way		

4. NEW VETERANS TAX WORK OFF PROGRAM

A memorandum was received from Town Counsel to notify us that the Legislature has created a new local option by which cities and towns may establish programs to allow qualified veterans to volunteer to provide services to that city or town in exchange for a reduction in real property tax obligations. This would be in addition to any exemption or abatement to which that person may otherwise be entitled and is similar to tax work off programs for senior citizens that many municipalities have already adopted pursuant to MGL Chapter 59 Section 5K.

It was agreed to have the Administrative Assistant add this to the Board's agenda for Nov. 13th. We need answers to the question of who has the authority to enter into this program; how many seniors have taken advantage of the program; how many veterans could potentially take advantage of the program; does it really take that much time to take care of the whole issue logistically. The comment was made that it does not seem like it should be a burden on the Assessors or any other office.

5. A. DISCUSS/REVIEW SPECIAL MEETING OF 10/23/12; TOUR OF FORMER LAKESIDE CAMPGROUND PROPERTY/REVIEW DECISIONS MADE, ETC.

Following a review of the tour of the former campground and a review of what was seen, Mr. Heller moved to instruct the Highway Department to remove the pool liner altogether from these facilities; Mr. Thomo seconded; so voted.

Mr. Heller moved to contact the Worcester County Sheriff's department to see if they can help to separate metal and trash located on this site and put it into containers that would be supplied; Mr. Thomo seconded; so voted.

Mr. Heller moved to have the Highway Department mow the grass and saplings; except to leave the shrubbery around the former pool; Mr. Thomo seconded; so voted.

Mr. Heller moved to have the Highway Department remove all dwellings except for the "pool house" and "recreation center"; Mr. Thomo seconded; so voted.

Mr. Heller moved that the Capital Improvement Planning Committee (CIPC) should be advised of these expenditures and that funding should be taken from the Program Income Account; Mr. Thomo seconded; so voted.

B. PRIORITY DEVELOPMENT GRANT APPLICATION RE: FORMER LAKESIDE

Mr. Heller further moved that the Town should apply for a grant through the Department of Housing and Community Development (DHCD) and their Priority Development Fund; Mr. Thomo seconded; so voted.

6. HEAR RECOMMENDATION FROM CEMETERY COMMISSIONERS (ARCHWAY PROJECT) AND AWARD BID (NOTE: THIS MIGHT NOT BE READY UNTIL THE 11/13/12 MEETING)

Due to Hurricane Sandy, the date for the bid opening was changed from Tuesday, October 30th at 2:00 pm in the Town Hall to Thursday, November 1st at the same time and location. Therefore there should be a recommendation from the Chief Procurement Officer and the Cemetery Commissioners for the Board's November 13th meeting.

7. DECIDE UPON WINTER SCHEDULE OF TOWN HALL/VOTE WINTER PARKING BAN

Mr. Thomo moved to hold Selectmen's meeting at the Elementary School during the period of the winter parking ban time; Mr. Heller seconded, so voted with Mr. Thomo and Mr. Heller both voting in favor and Mr. Comtois voting against. It was agreed that the Administrative Assistant should request use of the school and request that we are consistently in one room, even if it is not the library, if possible.

Mr. Heller moved to re-establish the winter parking ban, same dates, Mr. Thomo seconded; so voted. The following is the policy:

“The Selectmen voted on Tuesday, October 30, 2012 to reinstate the winter parking ban for all public ways in the Town from November 15, 2012 to April 1, 2013 during the hours of 11:00 p.m. to 6:00 a.m. As in the past, once the Winter Parking Ban is in effect, there will be no parking on the streets, whether or not snow is predicted and anyone in violation of parking on the street will receive a citation of \$15.00 for the first offense. “

8. BRIDGE NAMING REQUEST

A letter was received from Mr. Fred Holmes of Town Farm Road, requesting that the Board name the new bridge to be built over the Quaboag River (Route 148/Fiskdale Road) to be names the Joseph Murray Memorial Bridge. Mr. Murray, who passed away on August 27th, was a long-time Brookfield resident who was an honored veteran of World War II and had held many elected and appointed positions within the Town including Selectman and Water Commissioner. Mr. Comtois indicated that he believed the Murray family was against the bridge naming but no decision was made at this time.

9. FIRE DEPARTMENT – ROOF REPAIRS – S. COMTOIS

Mr. Comtois had nothing new to report.

10. ISO ACTION PLAN – R. HELLER

Mr. Heller had nothing new to report.

11. WAGE AUTHORIZATION FORMS

The Board took no action because they could not find the forms.

12. FOLLOW UP ON POSSIBLE DLTA GRANT APPLICATION – R. THOMO

Mr. Thomo had nothing new to report.

13. PERAMBULATING TOWN BOUNDARIES

Mr. Thomo volunteered to take charge of this and take care of what needs to be done. He said perhaps a Boy Scout could help with the project.

14. REVIEW DRAFT POLICY FOR VOLUNTEERS DRIVING TOWN EQUIPMENT - N. THOMO

Instead of a policy about volunteers driving the 1-ton truck, the Board of Selectmen issued a directive which states that no volunteers will drive the 1-ton

trucks. This is restricted to these vehicles only. Mowers can be operated by volunteers and big trucks are not included because they require a special license. This was not a formal vote.

15. DISCUSS/VOTE POSSIBLE RELEASE OF EXECUTIVE SESSION MINUTES (2002 – 2006)

Mr. Comtois entertained a motion to release the Executive Session minutes for 2003, 2004 (except for two), 2005, and 2006 except for 2/15/2006 as listed below; Mr. Heller so moved; Mr. Thomo seconded; so voted.

2002: 1/22; 5/9; 5/22; 7/9; 9/10; 9/24; 10/15; 10/18; 11/12; 11/13; 11/21; 12/3; 12/12
2003: 1/14; 1/21; 3/12; 3/18; 4/15; 5/6;
2004: 5/4; 12/14
2005: 1/25; 2/15; 3/22; 9/13; 3/1; 5/24;
2006: 3/21; 4/26; 7/11; 11/14

The Board agreed to review the Executive Session minutes of 2007, 2008 and 2009 prior to the November 27th meeting.

16. SPECIAL TOWN MEETING WARRANT FOR 11/1/12 (DISCUSSION, MOTIONS, RECOMMENDATIONS, ETC.)

There was nothing new to report and the motions will go forward as written.

17. HIGHWAY: ONE-TON AND CENTERLINE PAINTING ARTICLES (REMOVED FROM 11/1/12 WARRANT)

No action taken.

18. RATIFY SIGNING OF COUNCIL ON AGING GRANT CONTRACT

Mr. Thomo moved to ratify the Chairman's signing of the Council on Aging's annual contract with the Commonwealth Department Executive Office of Elder Affairs; Mr. Heller seconded; so voted.

19. WRTA PROJECT – R. HELLER

The following is a Report **WRTA Advisory Board** Meeting held on October 18, 2012 and presented to the Board by Rudy Heller: - *Two important items*

Boston-Worcester Commuter Rail

I was one of the people that most loudly opposed work on the CSX Bridge on Route 148 when it first came to be known by this Board. I opposed the fact that the Board of Selectmen (and, in essence, the Town) would have no input (it is,

after all, a Town road, not a State road), that it did not seem like a necessary project, and that it was a private entity being assisted by public funds.

I was later to learn that raising the bridge so that it could accommodate double-stacked vehicles was arranged by the Commonwealth in exchange for allowing more commuter runs on the CSX-owned railway between Worcester and Boston.

I am happy to report that by the end of this month three more Worcester-Boston runs will be added to the schedule. Two more will be added in the spring of 2013 and two more in the fall of 2013. That means that we will be able to ride the commuter train back and forth between Worcester and Boston 20 times a day!

That means that employment opportunities for residents of Brookfield increase dramatically now that Boston is a viable place of employment — regardless of the price of gasoline at the pumps, given that the cost of the bus and train tickets are fixed.

Future Plans

The WRTA, working with CMRPC, has a series of well-documented and researched criteria for choosing what projects they embark on to enhance transportation service to the public. For the near future, they have chosen to expand some routes, add Saturday to some routes, and extend service to late night hours on some routes. None of these included Route 33 (which comes to Brookfield), but for people who go into Worcester, all of these service enhancements could be valuable.

Of greater interest to all of us, is that in the next batch of enhancements, which have been run through the valuation criteria, is a local run which would encompass a Southbridge-Sturbridge-Charlton triangle, making all the businesses and services in those three towns available to Brookfield residents by only driving down to Sturbridge.

I want to be clear that this local triangle run is still very much in the drawing stages and no cost estimates or scheduling issues have been considered. It is just a response by the WRTA to manifested, or perceived community needs.

My role

Involvement in the WRTA's Advisory Board has been very instructive and valuable for me, and I wish to express now that even after I cease to be a Selectman in May 2013, I would be happy to continue serving as the town rep to the WRTA Advisory Board, if the Board of Selectmen of the time so chooses to appoint me.

20. MOUNTING THE JAMES HOVEY PLAQUE

It was agreed that Mr. Robert Wilder and the area representatives of the Hovey family should choose an appropriate granite rock for mounting of their plaque and that the Highway Department should place the stone on Devil's Elbow Road (on the right-of-way in front of Mrs. Llewellyn's home) so that it does not interfere with Highway operations. Mr. Thomas Cooper of Charlton volunteered a large granite boulder for this purpose and sent along photographs of nine different stones to choose from. The Highway Department will have to go to Charlton to pick up the stone.

21. SIGN CHAPTER 90 REIMBURSEMENT REQUEST (\$35,000 LEASE/PURCHASE 2011 WACKER NEUSON LOADER)

Mr. Heller moved to sign approval of the Chapter 90 Reimbursement Request in the amount of \$35,000; Mr. Thomo seconded; so voted. This was relative to the payments on the loader.

22. RE-DESIGN OF INTERSECTION OF ROUTES 9 & 148 – NEXT STEPS, ETC.

Mr. Heller spoke of the presentation by Ryan Lundergan of CMRPC. The Board members each have a copy of the report and request that a copy be sent to the Highway Department for their review. No other action taken, except to express their surprise at the number of accidents at the intersection we wish to someday fix.

Correspondence:

23. WORCESTER COMMUNITY ACTION COUNCIL, INC. – INTRODUCTION OF AGENCY/SERVICES

Receipt was acknowledged of a letter received from Jill C. Dagilis, Executive Director of the Worcester Community Action Council, Inc. (WCAC) located in Worcester. The WCAC is the "federally-mandated anti-poverty agency in Central Massachusetts. Annually, WCAC serves over 72,000 income-limited individuals and families residing in the City of Worcester and 43 surrounding communities." They have 18 programs currently, ranging from emergency services such as fuel and housing assistance and the Supplemental Nutrition Assistance Program (SNAP) to economic self-sufficiency programs including Earned Income Tax Credit (EITC) preparation, Individual Development Accounts, Head Start and GED® programs. The letter went on to include fuel assistance information.

24. CENTRAL THIRTEEN PRIORITIZATION PROJECT – UPCOMING MEETING

Notice was received of a November 28th meeting at CMRPC quarters in Worcester regarding the second meeting of this group. Mr. Heller indicated that he will attend this meeting.

25. NOTICE OF NEXT TIP MEETING (11/7/12)

The next TIP (Transportation Improvement Program) meeting is scheduled for Wednesday, November 7th at 5:00 pm. This is the group that will help the Town with the potential re-design of the intersection of Route 9, 148, River and Common Streets.

Other:

26. DECLARE STATE OF EMERGENCY

Mr. Heller moved to declare a local State of Emergency beginning Monday, October 29, 2012 at 6:00 am; Mr. Thomo seconded; so voted. The State of Emergency relates to Hurricane Sandy and will be lifted when appropriate. The Governor has also declared a State of Emergency.

Possible:

27. QUOTE FROM LENARD ENGINEERING RE: SAW MILL POND DAM PROJECT

This has not yet been received.

ADJOURNMENT:

At 9:23 pm, Mr. Comtois entertained a motion to adjourn the meeting; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Respectfully submitted

Rudy Heller, Clerk

Approved: December 11, 2012