

**Town of Brookfield
Selectmen's Meeting
Town Hall, Banquet Room
Tuesday, January 8, 2013**

Mr. Comtois called the meeting to order at 6:30 pm and led the group in the Pledge of Allegiance. Other members present: Mr. Heller and Mr. Thomo.

Camera Operators: Sharon Mahoney

Press: Karen Trainor

Public: Ron Couture, Herb Chaffee, John David Holdcraft, Scott Charpentier of Lenard Engineering

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 Warrants; Mr. Heller so moved; Mr. Thomo seconded; so voted:

RATIFY EXPENSE WARRANT for 12/18/12: \$141,578.24

RATIFY EXPENSE WARRANT for 12/12/12 \$920.00

RATIFY MOTOR VEHICLE WARRANT: \$98.41 and \$94.50 both for 2012

RATIFY WIRE TRANSFER WARRANT FOR 12/18/12: \$15.28

RATIFY PAYROLL WARRANT for 12/25/12: \$184,205.41

RATIFY EXPENSE WARRANT for 1/1/13: \$24,692.93 & Motor Vehicle & Excise Tax Refund for 2012 in the amount of \$12.50 (both dated 1/1/2013)

APPROVE PREPAID EXPENSE WARRANT for 1/3/13: \$1,530.00

APPROVE PAYROLL WARRANT for 1/8/13: \$179,076.38

APPROVAL OF SELECTMEN'S MINUTES:

Mr. Comtois entertained a motion to approve the minutes of December 11, 2012, December 14, 2012 and December 28, 2012; Mr. Heller so moved; Mr. Thomo seconded. Following a discussion, the above motion and second were withdrawn and Mr. Heller moved to approve the minutes of December 14, 2012 and December 28, 2012; Mr. Thomo seconded; so voted.

At a later date in this same meeting, Mr. Heller moved to approve the minutes of December 11, 2012; Mr. Thomo seconded; so voted.

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. Thomo so moved; Mr. Comtois seconded; so voted.

CIPC minutes from: 8/25/2011; 11/10/11; 12/15/11; 2/16/12; 3/28/12; 5/3/12; 6/21/12;
7/26/12; 8/23/12; 9/27/12; 10/24/12; and 12/5/12 Police: November 2012
Recreation Committee: 10/17/12 EMS: December 2012
Municipal Custodian: December 2012 Fire Dept.: December 2012
Municipal Facilities Planning Committee: 8/6/12; 9/7/12; 11/1/12;

ANNOUNCEMENTS:

Chairman Comtois read aloud the announcements which included the Winter Parking Ban, brush burning regulations, request for information for a Highway grant application and the Public Hearing to be held on Monday 1/13/13 in the Town of Sturbridge relative to the joint CDBG application between the towns of Sturbridge and Brookfield. Mr. Heller announced that he and Bruce Clarke who is the Chair of the CDBG Advisory Committee plan to attend the Public Hearing and encouraged all those who live on or near High, Hyde, Hayden and Draper Streets to attend as funding will be asked for that will improve their streets. Ms. Neylon added that there will be funding to improve housing conditions for three to five homes. She said that this part of the program has helped several Brookfield families and if anyone hearing this announcement wanted to send a letter of support, they could send it to her and she would forward it.

Public Access Period:

Donald Taft: attended the meeting to represent the Municipal Facilities Planning Commission. He asked the Board to authorize the Highway Department (at their convenience) to dig a test pit about 8 feet deep on the Prouty Street property. The committee would like to place a new Police Station on this property and need the test pit so they will know if there is ledge there. He indicated that he has already spoken with Herbert Chaffee, the Highway Superintendent, and Herb had told him that he needed to get the permission of the Board of Selectmen. At about this time, Mr. Chaffee joined the meeting and agreed that he had had this discussion and that his department could do the work.

Mr. Heller then moved to allow the Highway Department to dig one test pit at Prouty Street approximately where the new Police Station would be built; Mr. Thomo seconded; so voted.

Agenda:

- 1. **6:45 PM SAW MILL POND DAM (REVIEW REPORT/DISCUSS, ETC.)**

Mr. Scott Charpentier of Lenard Engineering, Inc. was present to answer questions and to present the construction cost estimate (see attached) worked up by his company for the Saw Mill Pond Dam site on Lake Road. He also indicated that the waiver that the Town had asked for had been granted and a copy of the

permit package was received by the Town today, sent by Lenard Engineering to the State Department Office of Dam Safety (ODS).

The construction cost estimate was reviewed; the total estimated cost of the project is \$236,979 which includes a 10% cost contingency. The actual costs will not be known until it has been determined how much of the project can be completed by the Town's Highway Department and until bids have been received for the remainder of the project. Highway Superintendent Chaffee will meet with Mr. Charpentier to pin down what the Town can do.

Some of the work to be completed, as mentioned in this document include removing the failing retaining wall, add rip rap to slopes, remove brush and woody vegetation, replace block type catch basins, re-grade, install berms, put in conventional slide gate and metal gate man way, etc.

Mr. Charpentier explained that the package will be modified and sent to the local Conservation Commission within a week with the hope that all permits will be in hand by mid-March.

Mr. Heller noted that there was a bill before the Governor that, if approved, could give up to \$17 million for dam and sea wall repair. Mr. Charpentier said that he was aware of this and quoted House Bill 4457 and Senate bill 1985. All hoped that Brookfield could take advantage of this as a grant for this project.

Ms. Neylon asked if the project could be completed by the Town in phases to help the town budget the costs, especially if no grant were to be received. Mr. Charpentier said that the State has extended our time and that the project could be done in phases. He said, however, it was important to show the State that there was progress being made.

An article for funding will need be on the 2013 Annual Town Meeting Warrant.

Mr. Charpentier will return a revised Construction Cost Estimate after his meeting with Mr. Chaffee.

Mr. Couture reminded the Board that Lake Road is a designated scenic road that that there must be a Public Hearing for any roadwork done there. He also indicated that the Historical Commission wants to take photographs before any work is done. This is the site of the oldest mill in Brookfield (from the 1700's). Mr. Heller said that the abutters within 200' of the worksite have been kept abreast of changes by certified mail and public hearings would be held whenever appropriate.

2. **7:00 PM TRAFFIC PLAN DEVELOPMENT (INTERSECTION OF 9 & 148) (REVIEW REPORT/DISCUSS, ETC.)**

Correspondence was received from MassDOT (Department of Transportation) regarding the above intersection and in response to the Selectmen's request to have this intersection re-designed. Mr. Chaffee said that 90% of the land involved in this project belonged to the State. Mr. Heller agreed to write a letter to MassDOT to encourage them to put this project on their list of projects to be done.

3. **REPLACEMENT OF 1997 1-TON HWY TRUCK/NEW PURCHASE – H. CHAFFEE**

Mr. Comtois explained that Mr. Chaffee had attended the December 11, 2012 meeting to request that the Board authorize the replacement of the 1997 one-ton Highway Truck and he presented quotes for the truck (Ford F250 @ \$40,354.25), plow (Fisher brand @ \$5,875) and a platform body & hoist (\$5,100). The truck quote was from MHQ who has the state contract on this type of vehicles; plow quote was from DeSantis Garage, Inc. of Ware and the quote for the body & hoist was from Tom O'Sullivan Welding & Repair, Springfield.

At this meeting the Board sent Mr. Chaffee to the Capital Improvement Planning Committee (CIPC) and to the Advisory Committee (AC) for their approvals and then to return to the Selectmen. Since that time, it was realized that since the townspeople voted (November 1, 2012 Special Town Meeting) to put money into a special vehicle acquisition account for the Highway Department, additional approval from the Selectmen, CIPC and AC were not needed. Therefore, Mr. Chaffee may proceed with the purchases as long as he follows the State's procurement laws.

Chairman Comtois asked about a transfer of ownership of the 1997 one-ton truck from the Highway to the Cemetery Department. Mr. Heller said that he had spoken with the Commissioners and they did not know of their Superintendent's request for this vehicle and they believed that they had no need for the vehicle or a place to store it. It was agreed that this needed to be confirmed with the Commissioners. In the meantime, Mr. Chaffee will check to see what he can get for the truck in a trade in. If the Commissioners do not want the truck, he may keep it and continue to run it until it will no longer operate and it can be scrapped. If this is the case, Mr. Chaffee said that he will continue to work with the Commissioners and will make this vehicle available to them at any time that they should need it.

4. **TREASURER'S REQUEST FOR DECISION REGARDING PROPERTY AT 30 KIMBALL STREET (FORECLOSURE OR GIFT) – S. FRANGIAMORE**

Correspondence was received from the Treasurer, Sheila Frangiamore, explaining that there was an opportunity to accept one piece of property (30 Kimball Street) as a gift rather than continue the property through the tax title and foreclosure process. She explained that the gift process would save the Town money and recommended this process even though it might require some assistance from Town Counsel.

Chairman Comtois entertained a motion to allow the Treasurer to proceed with the 30 Knight Street property as a gift to the Town; Mr. Heller so moved; Mr. Thomo seconded; so voted.

5. **DECLARATION OF SURPLUS AND POSSIBLE DISBURSEMENT OF BUILDINGS, BOATS, ETC. AT FORMER LAKESIDE CAMPGROUND**

Mr. Comtois said that the Town had received three requests for items from the former Lakeside Campgrounds. The Board of Health would like one of the buildings moved to the Transfer Station; Mr. Taft would like the sign over the entrance and Mr. Wassmer would like the two boats. The Town's policy relative to surplus property indicates that the board must first deem the materials as surplus and not usable to the Town. The policy also indicates that the Town must ask for either sealed bids, hold a town auction or a yard sale.

Mr. Heller moved to declare all materials and structures on the former Lakeside Campground property to be declared surplus; Mr. Thomo seconded; so voted. After it was pointed out that there is a building on the waterfront that the Town hasn't decided what to do with yet, Mr. Heller moved to amend his motion to indicate that the declaration of surplus was only for the property on the north side of Pine Lane; Mr. Thomo seconded; so voted.

By motion of Mr. Heller and second by Mr. Thomo it was voted that all Town departments will be asked first if there are any items on this property that are useful to them and this be put on the February 5th meeting agenda.

6. **UPDATE/STATUS OF POLICY RE: VOLUNTEERS & CLASS D LICENSES – N. THOMO**

This was tabled until after recommendations are received from Town Counsel.

7. **UPDATE/STATUS OF ON REQUEST FOR DRIVING RECORDS – N. THOMO**

This was tabled until after recommendations are received from Town Counsel.

8. **FOLLOW-UP FROM SPECIAL MEETING OF FRIDAY, 12/14/12 & FRIDAY, 12/28/12**

It was determined that there was nothing to follow up on from either of these Special Meetings so this was passed over.

9. **APPROVAL OF ADMIN. ASST. JOB DESCRIPTION**

This item was tabled until the January 22nd meeting when there should be results from consultation with Town Counsel. In the meantime, the Board agreed that the position should remain hourly versus salary.

Mr. Heller suggested setting up a committee for preliminary review letters of application for this position as was done with the Treasurer's position

10. **CHANGE SELECTMEN'S REP. TO CIPC/RESIGNATION FROM CIPC MEMBERSHIP**

The appointment of Mr. Thomo as Selectmen's representative to the Capital Improvement Planning Committee (CIPC) was made at the Board's special meeting on December 28, 2012.

Mr. Heller moved to accept with regret the letter of resignation from Ms. Sharon Mahoney from her position on the CIPC; Mr. Thomo seconded; so voted. Mr. Heller volunteered to write the letter.

11. **SIGN ALCOHOL RENEWAL REPORTS & TEMPORARY INCREASED RESIDENT POPULATION LETTER FOR ABCC**

Mr. Comtois entertained a motion for the Board to sign the Alcohol Renewal Reports and the temporary increased resident population letter all to be sent to the Alcohol Beverages Control Commission; Mr. Heller so moved; Mr. Thomo seconded; so voted.

12. **FY 2014 BUDGET DISCUSSION**

About 30 departments out of about 55 have submitted their budgets within the requested time. Electronic copies have been sent to all members of the Advisory Committee and they have also been given a hard copy.

Mr. Heller asked the Board if they would consider consolidating three accounts (Computer Maintenance, Computer Acquisition and Website Maintenance) into one. After some discussion, he withdrew his request.

Ms. Neylon advised the Board that the \$45 for 3-month charge for the website was being charged to her personal charge card. This invoice is now current

through the end of March but they should begin to plan for the next quarter. The Board decided to ask the Treasurer if she could set up a municipal charge card that could handle this.

Ms. Neylon was asked to “plug” into a spread sheet for the Selectmen’s purposes all of the FY 2012 budget information received.

13. DRAFT CHARGE FOR COMMITTEE TO DETERMINE FUTURE OF FORMER LAKESIDE CAMPGROUND

Administrative Assistant, Donna Neylon, had drafted a Charge for this purpose but it was agreed to pass over this until the next meeting (January 22nd). Mr. Couture reminded the Board that the former Lakeside Campgrounds is a designated historic site; Mr. Heller stated that Central Mass Regional Planning Commission (CMRPC) is working under a DLTA grant to research this property and its possible uses.

14. COMMONWEALTH CITIZENS CONNECT/EXPLAIN DETAILS/VOTE TO JOIN/SIGN CONTRACTS/MAPPING SESSIONS

Mr. Comtois entertained a motion for the Board to authorize him to sign the contract with Commonwealth Citizens Connect; Mr. Heller so moved; Mr. Thomo seconded; so voted.

Ms. Neylon indicated that she would be attending the last of the current series of information sessions on this subject tomorrow afternoon at the Fitchburg City Hall. None of the other Selectmen could attend but Mr. Heller volunteered to attend a webinar should they have one.

15. HOME RULE PETITION THE TOWN OF SWAMPSCOTT IS PURSUING RELATIVE TO PENSION REFORM

Mr. Comtois said that he was not an advocate of this particular program and said that “we already have GASB”. Mr. Heller agreed and moved to ignore the petition; Mr. Thomo seconded; so voted.

16. RATIFY PERMISSION TO CONTACT TOWN COUNSEL

Chairman Comtois informed that Board that the Zoning Enforcement Officer had needed to contact Town Counsel in a matter that couldn’t wait until this meeting so he gave his permission. He asked the Board to ratify his decision; Mr. Heller so moved; Mr. Thomo seconded; so voted.

17. DISCUSSION OF PROCEDURES TO PURCHASE EQUIPMENT

This was passed over. It was determined that this item was placed on the agenda as a result of questions arising from the proposed purchase of the replacement one-tone truck. The question was: does a department need additional approval to purchase after they have Town Meeting approval. The Board agreed that Town Meeting approval had the final say.

18. AGREEMENT W/MASSDOT – RECONSTRUCTION OF ROUTE 148 FROM MOLASSES HILL ROAD TO STURBRIDGE TOWN LINE

Correspondence was received from MassDOT about 2016 the planned reconstruction of a section of Route 148 (Fiskdale Road) from the Molasses Hill Road intersection to the Brookfield/Sturbridge town line.

Highway Superintendent, Herb Chaffee, said as a result of previous discussions with the State, he understood that the Town would have to move the intersection north of its current location about 75 to 100 feet, cut down the grade on Route 148 and fill it in to make things safer.

Ms. Neylon asked if any land taking or easements would be required for this process and Mr. Chaffee said that the Assessors had told him that the Town still owned this land and no land taking of any part of this project will be needed. The next step is “leg work” to be done by the Highway Department. Mr. Chaffee indicated that the cost of Brookfield’s part of the project will be about \$600,000 and that he would pay for it out of Chapter 90 funding. The intersection work must be done before the MassDOT can do their part of the project.

19. DISCUSSION: MEDICAL MARIJUANA – R. THOMO

This item was placed on the agenda by Selectman Thomo. Mr. Comtois stated that the legal memorandum received from Town Counsel gave the Planning Board certain responsibilities. He asked the Board to hold off on discussion until after the Planning Board’s actions and until after he could attend the meeting on this same subject to be held at the Annual MMA (Massachusetts Municipal Association) meeting the end of January. The Board agreed and this will be placed on the February 5th meeting agenda.

20. LETTER OF SUPPORT FOR PROPOSED FY 2013 COMMUNITY DEVELOPMENT FUND II APPLICATION WITH TOWN OF STURBRIDGE

Mr. Comtois entertained a motion to authorize the Chairman to sign the letter of support as drafted by the Administrative Assistant for the FY13 Community Development Fund II Application with the Town of Sturbridge; Mr. Heller so moved; Mr. Thomo seconded; so voted.

21. RESIGNATIONS (RESERVE POLICE OFFICERS) & LETTER FROM CHIEF

The cover letter from the Chief explained that the two resignations were due to a change in his policy requiring Reserve Officers to be able to take a minimum number of shifts per month.

Mr. Comtois entertained a motion acknowledge receipt of the letters of resignation from Reserve Officers Charles Reardon and William Coyle and to send each a letter expressing the town's regret over their resignations but appreciation for their past work; Mr. Heller so moved; Mr. Thomo seconded.

22. STATUS/DISCUSSION: NEW BRIDGE OVER QUABOAG RIVER ON ROUTE 148

a) A draft letter as may be sent by the Conservation Commission expressing their displeasure at the kind of chemicals that the State proposes to use at the site next to the cemetery and new the town line of Brookfield and West Brookfield was reviewed. No action was necessary at this time as the Commission has not voted to send the letter.

b) Plans for the viewing platform had been received from the State. They were not the same as had been proposed by the Town but would be acceptable. Mr. Ron Couture, Mr. Bruce Clarke and Mr. Rudy Heller had met and toured the proposed viewing platform area and then Mr. Couture of the Historical Commission drew up two proposed viewing platforms which were then forwarded to Mr. Bastoni and Mr. Tayarani (MassDOT, District 3). The Board reviewed Mr. Couture's follow up letter of suggestions (see attached) and approved it.

23. SIGN INSURANCE BOND RELEASE

Mr. Heller moved to authorize the Chairman to sign the release from the Surety Bond Company contingent upon Town Counsel's opinion that signing would not be detrimental to Brookfield; Mr. Thomo seconded; so voted.

Correspondence:

24. ANNOUNCEMENT OF WINNERS OF MMA'S ANNUAL TOWN REPORT CONTEST

Mr. Comtois read the letter from the MMA that indicated that Brookfield was not among those receiving an award for its 2011 Annual Town Report.

25. CONFIRMATION FROM USEPA RE: CLOSEOUT OF MILL STREET BROWNFIELD CLEAN UP PROJECT

Brookfield received confirmation from the USEPA (United States Environmental Protection Agency) that the Mill Street Brownfield clean up project (Mill Station Park) was complete. No further action is necessary.

26. TAX RATE IS SET AND BILLS ARE OUT & TAX RATE IS SET

The Selectmen announced that the tax rate was set at \$17.42/thousand and that the bills were sent out the end of December. If anyone did NOT receive a tax bill and should have, they are encouraged to contact the Tax Collector immediately.

27. RE: PLOWING OF SIDEWALKS & ROADWAYS IN BROOKFIELD

A letter complimenting the Highway Department on the great job hat they did cleaning sidewalks and roads following the last Sunday storm and having them ready in time for church was received from Mr. & Mrs. Arthur Jay of East Main Street and acknowledged by the Board. A copy was sent to the Highway Department and will be placed in their personnel files.

Other:

1. INVITATION FROM BOY SCOUT TROOP 238 OF EAST BROOKFIELD

An invitation from Mr. John Ebersold, Eagle Scout Court of Honor Coordinator for Troop 238 was received and Chairman Comtois was invited to attend the Eagle Scout Court of Honor for Brookfield resident Willem Couture. This event will be held on Sunday, February 3, 2013 at 1:30 pm at the East Brookfield Senior Center. Mr. Comtois indicated that he will attend. Ms. Neylon will RSVP for him and create the Certificate of Achievement for him to present.

Mr. Thomo said that the scouts are still working on perambulating the Town's boundaries.

ADJOURNMENT:

At 8:16 pm, Mr. Comtois entertained a motion to adjourn the meeting; Mr. Thomo so moved; Mr. Comtois seconded; so voted.

Respectfully submitted

Donna L. Neylon, Administrative Assistant

Approved: January 22, 2013