

MINUTES OF SELECTMEN'S MEETING NOVEMBER 17, 2009

Chairman Petraitis called the meeting to order in the Senior Center at 7 PM with all members present.

I. Mr. Petraitis stated that in regards to the minutes of October 20th, he feels that the minutes are beginning to look like commentary rather than the basic business that was conducted. He asked that the minutes of October 20th be approved as written.

Mrs. Walter stated that there is a requirement that discussion be recorded especially when that discussion leads to a vote. Necessary discussion needs to be separated from unnecessary dialogue. She believes that the selectmen should look at the minutes and make sure that their individual recollections are recorded. Her intention is to clarify what discussion took place that lead to the vote.

Mr. Filipkowski asked Mr. Petraitis if there were something that he wanted to add to the minutes relevant to the discussion or decisions? Mr. Petraitis stated that he wants the minutes to reflect what he said, not why he said it.

Mr. Filipkowski moved, and Mr. Petraitis seconded, a motion to accept the minutes of October 20, 2009 as written. So voted, with Mrs. Walter voting no. Mrs. Walter asked that her objection to the lack of consideration of her amendments be on the record.

Mrs. Walter moved, and Mr. Petraitis seconded, a motion to approve the minutes of November 3rd as amended by Mrs. Walter. So voted, with Mr. Filipkowski abstaining because he was not present at that meeting.

On the executive session minutes, Mrs. Walter noted that Mr. Filipkowski was not specifically designated as being absent, and that one roll call vote was not recorded. Mrs. Walter moved, and Mr. Petraitis seconded, a motion to accept the minutes of November 3rd with those two corrections. So voted, with Mr. Filipkowski abstaining.

On the minutes of November 10th, Mrs. Walter noted that Sergeant Doug Blood should be described as "retired," rather than "former." Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to accept the minutes of November 10th as written, with Sergeant Blood's status corrected. So voted.

II. OLD BUSINESS

A. Mrs. Walter reviewed a letter to Mark Siegenthaler of DHCD regarding the selectmen's recent designation of a "slum and blight" area of town. This designation is necessary in order to apply for a block grant. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve and sign the letter with the proposed changes in wording. So voted.

B. Mr. Petraitis announced that there will be a meeting of town officials on Thursday night to discuss the guidelines for submitting budgets for fiscal 2011. The meeting will be in the Senior Center at 6 PM. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve and sign a letter to town officials describing the guidelines and instructions for submission. So voted.

C. Mr. Filipkowski noted that last week the selectmen reviewed and ranked three projects being submitted to the Capital Improvement Committee. Those three projects are: the Town House roof repair and stabilization of the bell tower, soil remediation at the Town House, and the renovation/restoration of the Town House itself. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve the three projects, and to submit them to the CIP committee for review. So voted.

Mr. Petraitis noted that he has been able to contact six out of eight members of the Safety Committee. Four of those six members would like to continue on the committee, and two would not. The four members that are willing to continue are Chief Thomasian, Gary Jean, Peter Shipman, and Selectman Filipkowski. It was suggested that those four people be contacted about the reactivation of the committee, and to provide them with information regarding the streetlight situation on Spring Street. The committee will also be asked to review the recommendations of Officer Chris Donais regarding shutting off some streetlights.

III. NEW BUSINESS

A. Mr. Petraitis reviewed a letter from the Board of Water Commissioners regarding MA WARN, a mutual aid system for water and wastewater plants. The letter noted that Thomas McEnaney from Kopelman and Paige has approved the agreement. The selectmen stated that they would like to see the comments from Attorney McEnaney, and also wondered that perhaps the Water Commissioners should sign the agreement, not the selectmen. It was agreed to defer this item until next week, when the Water Department is already scheduled to appear to discuss hiring a new employee.

B. Mrs. Walter reviewed a letter from Ann Hicks regarding the work done to draft a regional wetlands protection by-law. The towns involved were North Brookfield, West Brookfield, and Brookfield. Mrs. Hicks reported that the cost of having CMRPC assist in writing the by-law was covered by a grant, and the cost

of legal work from Kopelman and Paige was paid for by the Friends of the Five Mile River. There was no cost to the town for this work.

Mrs. Hicks noted that the group feels they need to take more time to address several things before the by-law is brought before the various town meetings. One of the problems could be the potential cost of defending an appeal in court; town counsel estimates this could cost as much as \$5,000 to \$8,000.

The selectmen noted that Mrs. Hicks and the entire group deserve a lot of respect for all of the hard work they have put into the drafting of this by-law.

C. Mr. Petraitis reviewed an e-mail from Mrs. Hicks asking that her status on the Conservation Commission be changed from alternate to regular member, as the Massachusetts Association of Conservation Commissions (MACC) does not recognize alternate members. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to change Mrs. Hicks to a regular member. So voted.

D. Mr. Filipkowski reviewed a request for the selectmen to sign an easement to National Grid for utility lines going into the new police station. The selectmen agreed that they would like town counsel to review the document before it is signed. Leslie will forward to Kopelman and Paige, and put this item on under "Old Business" next week.

E. Highway Superintendent Gary Jean was present to address a couple of things with the Board. He presented an agreement with the Fire Department for the housing of the new ladder engine fire truck. Fire Chief Black was also present, and stated that he and Mr. Jean both have agreed to this arrangement. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve the agreement. So voted.

Mr. Jean also noted that the town's 1995 loader needs to be replaced. As it is only worth \$20,000 on a trade-in, Mr. Jean recommended that the town keep the loader as a backup. The new loader will be purchased through Mass Highways bid specifications at a cost of \$144,000.00, which will come from Chapter 90 funds. There will be no cost to the town. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve and sign the Chapter 90 project request form for the loader. So voted.

Mr. Jean noted that the 1995 Ford pickup truck that he drives will not pass its next inspection. He is hoping to bring a request to purchase a replacement to town meeting for approval within the next year. The current replacement cost on the state contract is \$34,465.00.

Mr. Jean presented his monthly work plan for October and November. Mr. Jean gave a special note of appreciation to his men for all of the work they have

done despite the decrease in manpower. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to accept the report. So voted.

IV. ANNOUNCEMENTS

A. Mr. Petraitis announced that Wednesday, November 18th is the last day to register to vote in the State Primary on December 8th. Voter registration will be held in the Town Clerk's office from 9 AM to 8 PM.

B. Mrs. Walter announced that the Winter Parking Ban goes into effect on November 20th. There is no parking on town streets between 1 AM and 6 AM. The fine is \$25.

C. Mr. Filipkowski noted that applications for the Toys for Joy program will be accepted at the Police Department until December 4th. Pickup will be on December 16th at the Town House.

At 8 PM Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to enter executive session for the purpose of hearing complaints against a public official. Roll call: Petraitis, yes; Walter, yes; Filipkowski, yes. So voted.

Mr. Petraitis announced that the Board will not make any decision or resolution in the matter before them this evening. The Board will determine who will be present and who is affected by the resolution process in order to give full and proper notification to the parties, and to determine the Board's process for resolving the issue in executive session. Mr. Petraitis stated that the Board would exit executive session only to adjourn.

At 8:45 PM the Board came out of executive session. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to adjourn. So voted.

Respectfully submitted,

Leslie Scott Burton
Administrative Assistant