

MINUTES OF SELECTMEN'S MEETING
NOVEMBER 24, 2009

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

I. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve the minutes of November 17, 2009 as amended by Mrs. Walter. So voted. Mrs. Walter requested that the approval of the November 17th executive session minutes be discussed in executive session.

IA. Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve general warrant #1021 for \$33,067.85, school warrant #1022 for \$186,050.84, general warrant #1023 for \$232,193.82, and payroll warrant #11 for \$278,254.42. So voted.

II. OLD BUSINESS

A. Water Superintendent Steve Jones, along with Water Commissioners Jim Kularski and Tim Nason, came in to speak to the selectmen about the MA WARN (Water/Wastewater Response Network) system, a mutual aid group for water and wastewater systems. The group was started in nationwide in 2007; currently 40 states and 47 systems in Massachusetts participate. Mr. Jones noted that the group does not come in and run a particular plant or system, rather, it provides resources in the event of an emergency such as a water main break. A water system might ask if another town has a backhoe or a particular valve available. Mr. Jones stated that this agreement just puts onto paper what has been already been going on informally for many years.

Mr. Filipkowski asked if everyone within the MA WARN system will need to be NIMS certified, and noted that the NBEMA can provide this training for free if necessary.

Mrs. Walter moved, and Mr. Filipkowski seconded, a motion to approve and sign the agreement between the town and the MA WARN.

B. An easement to allow National Grid access to equipment and lines at the new police station was tabled because it requires town meeting approval before being signed by the selectmen. National Grid is going to draft a "license" in the meantime, and will forward it to the selectmen within the next two weeks.

III. NEW BUSINESS

A. Mr. Jones, Mr. Kularski, and Mr. Nason spoke to the selectmen about their desire to hire a third operator at the Water Department. Mr. Kularski noted that DEP has cited the need for an additional operator every year when it conducts the annual review of the water department.

Mr. Kularski stated that both Mr. Jones and operator Rich Kennan will be retiring within the next ten years, so it is time to begin the process of hiring and training a new operator. The Water Department would like to hire a less experienced operator and develop him or her for the long term. It is a long term process for an operator to become fully certified.

Mr. Kularski noted that the Water Commissioners are aware that they would have to bring their request before the voters. The department's debt from building the new treatment plan will be retired in ten years, so the department's financial position will be better.

The selectmen agreed that ultimately, the decision will be up to the voters.

B. Mrs. Walter explained that several months ago the selectmen had accepted a proposal from the Chambers Advisory Group to review the town's phone service and make recommendations on changes that would save the town money. As payment for their services, Chambers is paid ½ of the savings for one year. As the selectmen haven't had time to fully review the results from Chambers, it was agreed to move this to the December 7th meeting.

C. Kim Dodge came before the board with her request for a Common Victualler's license for Fenders Auto Detailing Café at 324 North Main Street. Ms. Dodge stated that she first came to the selectmen back in April, and at that time she was told that she needed to talk to the Building Inspector and the Planning Board. She has done that, and has received a Special Permit from the Planning Board that allows her to have two vending machines. She is planning to open this Friday, November 27th. Ms. Dodge also stated that she has an occupancy permit from the Building Inspector, and has spoken to Lee Jarvis, the Board of Health Inspector, and that Mr. Jarvis is coming to her establishment on Friday, and that she "has his blessing" to open.

Mrs. Walter stated that she would recuse herself from this matter because she is a member of the Planning Board that issued the Special Permit.

Steve Cummings, a member of the Planning Board, stated that his board was very specific, here was to be no food preparation or serving of food from the counter, only vending machines. The permit was given for an auto detailing business, not a food service business. Mr. Cummings noted that Ms. Dodge is

not in compliance with the conditions set by the Planning Board because the parking lot is not paved and striped.

Ms. Dodge stated that she does not believe that the Planning Board has any jurisdiction over food service. She stated that she needs to supply food for the vending machines, and noted that she has complied with the Building Inspector, not the Planning Board.

Mr. Petraitis stated that the selectmen want to look at everything, including information from the Planning Board, Building Inspector, and the Board of Health. He said that the selectmen would like to see the Board of Health inspection and the occupancy permit from the Building Inspector.

Ms. Dodge again stated that she had the blessing of the Board of Health, so she came before the Selectmen for a Common Victualler's license. Ms. Dodge stated that she has been held up for nine months, and wanted to know why she was being held up again.

Mr. Petraitis and Mr. Filipkowski told Ms. Dodge that they do not have all of the relevant information in front of them, and that they want to review everything from the other boards. Mr. Filipkowski asked Ms. Dodge if she had the BOH permit or the occupancy permit?

Ms. Dodge stated that the selectmen don't have jurisdiction over the Planning Board, the Building Inspector, and the Board of Health.

Mr. Petraitis stated that the selectmen want to review all of the relevant information. He noted that he let Ms. Dodge speak her mind, and that there would be no further discussion on this matter. The issue will be taken up again in two weeks.

IV. ANNOUNCEMENTS

A. Mr. Petraitis reminded residents that effective November 20th, there is no parking on town streets from 1 AM to 6AM. Violators will incur a \$25 fine.

B. Mrs. Walter announced that applications for the Toys for Joy program, sponsored by the North Brookfield Police Association, will be accepted until December 4th. Toy pickup will be at the Town House on December 16th from 3 PM to 6 PM.

C. Mr. Filipkowski noted that the North Brookfield Youth Center will be celebrating its 10th anniversary at a fundraising dinner on December 2nd at the Spencer Country Inn.

At 7:55 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 stated that the Board would exit executive session only to adjourn.

At 9:12 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