

Minutes of the Board of Selectmen Meeting

This meeting of the Board of Selectmen was called to order at 6:00PM at the North Brookfield Police Department. Dale Kiley, Jason Petraitis and John Tripp present.

Approval of Minutes: Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve the minutes from 9/1. So voted.

Approval of Warrants: Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve the following warrants-Payroll # 6 for \$346,444.12, Voucher # 1012 for \$47,602.96 and Voucher # 1013 for \$84,119.93. So voted.

Financial Items: Approval of CARES Fund Act: Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve the School Committee request for Cares Funds in the amount of \$4,714.20. So voted.

New Business:

- a. State Aid Project Request: Highway submitted a project request to pave Slab City Road and Town Farm Road. Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve the request. So voted.
- b. Pouring Hearing for Common Ground: Hearing to start at 6:15, moved to next item to wait for hearing time.

- c. Committee Appointments:

Lorraine McMaster requested to join NBHelps/NBCares. Ashley confirmed with Glenna Stocks that they would like another volunteer. Mr. Petraitis moved, and Mr. Tripp seconded, a motion to appoint Lorraine McMaster to the NBHelps Committee. So voted.

Aram Thomasian requested to join the Insurance Advisory Committee. With the passing of Gene Caille, there were no retired volunteers on the committee, which is a requirement. Anne Jannette submitted a letter requesting the BOS to appoint Mr. Thomasian to the committee. Mr. Petraitis moved, and Mr. Tripp seconded, a motion to appoint Aram Thomasian to the Insurance Advisory Committee. So voted.

- d. Landlord Contact Spectrum: The Water Department is getting Spectrum installed and needs a contact and owner information. Mr. Kiley signed the documents.

Mr. Kiley asked if the other Selectmen had any information to share while we wait for the hearing to begin. Mr. Tripp stated that he's been working with someone for about 8 months to find a place in Town for a gas station/convenience store/coffee shop and it looks like that will be happening soon. The gentleman said he wants to make sure the business looks like it fits in North Brookfield, he's not trying to bring in a modern "Cumberland Farms" type store. Mr. Tripp is also working on the Town Park, he's got loom down, he's getting gravel soon. Bond Sand and Gravel have donated materials. Mr. Kiley asked John about the Flags, Mr. Tripp stated we need a new American flag for the center of Town. The one we had was torn with the many windstorms we've had this year. A new flag was donated but it is heavy cloth and doesn't waive in the wind as it should. The Town is looking for a donated flag. Mr. Tripp and his wife, Mindy, spent several hours taking down the American flags throughout Town, they left them up from before Memorial Day to just after September 11th. All flags are stored at the Town House. He has a record of needed repairs. Mr. Tripp also stated he took the trail cameras down around Brooks Pond. The residents are pleased with the responsiveness and

efforts made by the BOS and Police. In the Spring it would be best to get signage and cameras up earlier to curtail this years issues being repeated.

b. At 6:15PM Mr. Kiley opening the hearing for a pouring license for Common Ground and asked Roger Larson to give an explanation of the business. Roger said they are a farm winery and brewery, they make beer, cider and wine. They currently have orders to go, they were operating out of West Brookfield but needed more space to grow the business and get more room for the experience. They are requesting the pouring license so people can come in and enjoy the full experience of the brewery. They will have food, outside cooking. Eventually they hope to host functions. Mr. Kiley asked if anyone had comments or questions for Mr. and Mrs. Larson. Brandon Avery and William King welcomed the Larson's to North Brookfield and Thanked them for their interest in North Brookfield. Mr. Tripp asked what kind of food they'd be serving. Roger stated it would be different all the time. They have a wood fired grill and pizza oven, and would offer cheese and crackers. Cindy Larson stated they'd have a lot of gluten free options and use whatever they can get locally.

Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve the pouring license request for Common Ground. So voted.

Public Comment Period:

Tara Hayes addressed the Board as a citizen of North Brookfield and read a letter (available in the Selectmen's office) with her concerns regarding the North Brookfield's Sportsmen Club and the Board of Health. The club had to cancel an event because Tara was told that the BOH reported the club to the State, without reaching out to the club to work together for their car show.

Tashina Holmes asked if she could reply, Mr. Kiley stated the law regarding Public Comment, you don't have the right to address the Board unless you are recognized by the Chair, and that he didn't want arguing. Tashina said she wouldn't argue. Tashina said that how this situation was handled was tragic. She said the BOH and BOS have not been behaving appropriately toward each other and now the citizens of North Brookfield are suffering. If the BOS won't work with the BOH the BOH has to go above the Town and report to the state. Tashina requested a response from the BOS. Mr. Kiley stated that they've (BOS) have been trying to work with the BOH but they wouldn't give requested information. We have not had more than 2 active cases of COVID in Town at a time. The BOH is upset that people are playing basketball and they are overreaching. Mr. Kiley stated that the Governor's guidelines are not law. Fitzgerald Pucci stated the he believed the BOS's adherence to the Governor's policies was dubious, the BOS did not agree.

Mr. Petraitis motioned to move to the next person for Public comment.

Bruce Arnold wanted to discuss the water issues on his property. Mr. Kiley had reached out to Town Counsel who stated that the Town is not liable for the water issues on his property. Bruce said he doesn't think Town Counsel is right. TC (Town Counsel) stated that unless the pipes/culvert are on Town property, it is not a Town liability. Bruce stated a law regarding subdivisions, but the pipes and culverts were installed prior to 1930 so it wouldn't apply. Bruce believes that Common Law would make the Town liable, if it's in the ground for so many years it's the Town's problem. The culvert is tied into a Town catch basin. Bruce's stance is that the Town owns it therefore the Town needs to fix it. Mr. Kiley

asked what kind of help Bruce is looking for. Bruce wants the Town to do the excavation and replace the culvert with a pipe and attach it to the catch basin. Bruce said he would gladly grant an easement to the Town. Mr. Kiley asked how much excavation would be needed. Bruce said he had a quote from Berthiaume for about \$10,000.00. Mr. Kiley asked how long the culvert was, Bruce estimated 130 feet.

There was dye test done which seemed to prove the water issue was not coming from the town's drain system, however, Bruce said he watched the dye test and it was only on one basin that was downstream from his issue. Bruce said that Jason Benoit saw that the culvert was clogged, and surface water on Maple St jumps the berm and runs into his property. Mr. Kiley stated that a number of other people in Town have water issues and the Town just simply doesn't have the money to fix all the issues. Mr. Kiley said that Town Counsel advised him that we are not liable to fix the issue, but that doesn't mean the Town won't help with a fix. Mr. Tripp asked if a larger berm on Maple St would fix the issue, Mr. Arnold doesn't think so. At one point he poured soap down the catch basin and had bubbles in his basement. Mr. Kiley asked Bruce Arnold to contact a contractor that could give him an assessment of what needs to be done to fix the issue, however, any expenditure would need to go to Town vote.

John Alphin came to update the BOS on the contract with the Town of Sutton. He stated that it's an intermunicipal agreement good for 25 years as long as the services are being used. They are writing up something for the town of North Brookfield. Mr. Kiley said he's inquired in Spencer, they pay their public health nurse \$35/hour. John Alphin stated he can't find anyone to fill the position.

Fitzgerald Pucci started speaking, Mr. Kiley repeated the law regarding being recognized by the Chair and warned Fitzgerald that he would be removed from the meeting if he spoke without being recognized again.

Mr. Petraitis stated that the wording in the contract says its good for 1 year, up to 25. John Alphin said the contract doesn't need to be reviewed as long as everyone agrees to the terms. Mr. Kiley said the Board doesn't sign 25 year contracts because prices change all the time, it doesn't make sense to NOT go out to bid on a regular basis. The price went from \$55/hour to \$75 with nothing in writing to modify the contract, and it states all modifications must be in writing. John Alphin hopes a new contract will be coming soon with the adjusted price. Mr. Tripp asked if we could look for someone less expensive, John Alphin said many people are retiring and/or not taking on new Towns.

John Alphin wants the BOH and BOS to work together when it comes to the Town Offices and Election. Tara Hayes stated that she ran the June and September elections exactly the same. Mr. Kiley said polling places are exempt, John Alphin disagreed.

At this point there was a small argument about a citizen recording the meeting from their phone. Mr. Kiley stated it was ok, but they have to inform everyone that they are being recorded.

Tashina Holmes requested to speak, Mr. Kiley gave her one minute. Tashina yelled at the BOS and the Town Clerk, telling them that they are causing problems in town. Mr. Kiley stated her comment period was done but Tashina continued speaking.

Fitzgerald Pucci wanted to ask Tara Hayes a question regarding the event for the North Brookfield Sportsmen's Club, if an event page was created. She said yes, it received 400 likes, not 400 RSVP's. Mr. Kiley pointed out that you can control access points at the club and not allow too many people at a time.

Brandon Avery stated that a survey was sent out by the Master Planning Committee. You can mail it in, its on the town's website and on Facebook. So far 141 people have responded, and the more responses the better. Kim Bent asked if someone filled out the questionnaire multiple times, would that skew the results. Brandon stated they are using survey monkey which weeds out the repeat surveys based on web addresses.

Brandon Avery also announced that the Historical Museum is open by appointment. They've received some interesting donations recently. He could use another set of flat files for larger documents.

At 7:15PM, there being no further business, Mr. Petraitis moved, and Mr. Tripp seconded, a motion to adjourn. So voted.

Respectfully Submitted,

Ashley Barre