

MINUTES OF SELECTMEN'S MEETING AUGUST 28, 2012

Chairman Petraitis called the meeting to order in the Senior Center at 7:05 PM with Mrs. Walter and Mr. Chabot also present. Mr. Petraitis reminded those in attendance that the meeting was being both audio and video taped.

I. APPROVAL OF AUGUST 13, 2012 EXECUTIVE SESSION MINUTES APPROVAL OF MINUTES OF AUGUST 14, 2012

Mrs. Walter moved, and Mr. Chabot seconded, a motion to approve the aforementioned minutes. So voted.

IA. APPROVAL OF SCHOOL WARRANT #1011 FOR \$147,003.62 APPROVAL OF GENERAL WARRANT #1012 FOR \$344,058.70 APPROVAL OF PAYROLL WARRANT #5 FOR \$203,613.11

Mrs. Walter moved, and Mr. Chabot seconded, a motion to approve the aforementioned warrants. So voted.

IB. PUBLIC COMMENT PERIOD

There was no one present for the Public Comment Period.

II. OLD BUSINESS

A. PETITION FOR MUNICIPAL AGGREGATION

Mrs. Walter reviewed a letter from the Hampshire Council of Governments asking the Selectmen to vote on and sign a petition for electrical aggregation in North Brookfield. (Attachment #1) The state's Department of Public Utilities (DPU) has already had an initial public hearing on the request, and they have now requested that each Town vote and sign the petition. Mrs. Walter moved, and Mr. Chabot seconded, a motion to approve and sign the petition. So voted.

B. EMPLOYEE WORK SCHEDULES

The Selectmen reviewed a draft of policies relating to employee work schedules, and some comments made by Attorney Jack Dolan. (Attachment #2) The Selectmen had previously discussed and approved Mr. Dolan's changes, and the only remaining issue was language specifying the start and end of the employee work week. After consultation with the Town Accountant, Mrs. Walter reported that a work week that begins on Saturday and ends on Friday would cover the majority of the Town's employees. It was agreed to make this last change and then send the entire document to Attorney Dolan for his review.

C. CDBG PROJECTS/CDAC GROUP

Mr. Petraitis reviewed a Memorandum of Understanding (MOU) between the Town and the Pioneer Valley Planning Commission (PVPC) that would allow PVPC to apply for and administer a Community Development Block Grant (CDBG) application for North Brookfield. (Attachment #3) Mrs. Walter moved, and Mr. Chabot seconded, a motion to sign the MOU.

The Selectmen also discussed potential projects for the CDBG application, including a housing rehabilitation program for homeowners, possibly a project developing the Nash building into apartments, and other design or infrastructure projects.

One of the tasks that the Town must undertake is to appoint a Community Development Advisory Committee (CDAC) consisting of 5 – 7 members who would work with PVPC to come up with potential projects. Mr. Petraitis asked that any resident interested in serving on such a committee contact the Selectmen's office as soon as possible, as this group will be appointed and begin working very soon.

D. SIGN AGREEMENT FOR EPA GRANT

Mrs. Walter reviewed an agreement between the Town and the Environment Protection Agency (EPA) that will have the Town accept \$200,000.00 in EPA cleanup funds for the former Aztec Industries site. (Available in the Selectmen's office) This is the fourth cleanup grant that the Town has received for the site, and hopefully this will be the final step in cleaning the property and returning it to the tax rolls. Mrs. Walter moved, and Mr. Petraitis seconded, a motion to sign the agreement. So voted and signed.

III. NEW BUSINESS

A. JOHN LAFLECHE RE: MAHER E-MAIL

Mr. John LaFleche, Superintendent of the Bay Path Regional Vocational School, was present to address an e-mail that was recently sent to town officials stating that there is a less expensive way to do the proposed renovations. Mr. LaFleche reported that the 63% reimbursement rate that has been approved by the Massachusetts School Building Authority (MSBA) may not be available for a piecemeal approach to the project.

Owner's Project Manager (OPM) Mark Lyden reported that this \$73.8 million project that has been approved includes \$48 million in grant money. The school district submitted a Statement of Interest to MSBA, and was then invited to participate in the program. He noted that the main issue at Bay Path is overcrowding, and the MSBA "repair" program would not be an option for the district because it would not address the overcrowding. Mr. Lyden stated that if the district-wide vote fails to pass, the renovation project will be

taken out of the pipeline, and the process that has taken almost ten years will go back to square one.

Mr. LaFleche invited any resident who would like a tour of the school in order to see the reality of the current situation to contact him at the school. He thanked the Town Clerk and all of the Town Clerks in the district for all of their assistance in the process of scheduling the October 4th Special Election.

Mrs. Walter asked who is paying for the Special Election, and Mr. LaFleche noted that Bay Path is paying all of the costs.

B. RYAN LUNDERGAN RE: PRE-DISASTER HAZARD MITIGATION PLAN

Ryan Lundergan of Central Massachusetts Regional Planning Commission (CMRPC) was present to inform the Selectmen that FEMA has issued a letter of “conditional approval” for the region’s Hazard Mitigation Plan. The next step in the process is for the Selectmen to formally adopt the plan. (Attachment #4) Mr. Lundergan noted that the Town will be eligible for grant funds when this is adopted. Mrs. Walter moved, and Mr. Chabot seconded, a motion to approve a resolution adopting the plan. So voted.

C. TREASURER ANNE JANNETTE RE: HORSE POND DAM BONDS

Treasurer Anne Jannette was present to ask the Selectmen to approve the sale of bonds for the Horse Pond Dam project. Mr. Petraitis moved, and Mr. Chabot seconded, a motion to approve the sale of the following 2.125 percent bond of the Town dated September 7, 2012 (the “Bond”),

\$992,000	General Obligation Horse Pond Dam Bond payable in annual principal installments of \$27,556 on September 7 th in each of the years 2013 through 2047, inclusive, and \$27,540 in the year 2048, with interest thereon calculated from September 7, 2012,
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to the United States of America, acting through the Rural Utilities Service, United States Department of Agriculture, at par and accrued interest is hereby confirmed.

And further moved and seconded that the annual installment amounts may be subsequently amended by the United States of America, acting through the Rural Utilities Service, United States Department of Agriculture, to make minor rounding or computation adjustments, and we hereby authorize the Treasurer to approve such minor changes in the payment schedule, provided that the principal amount, interest rate and term of the Bond remain unchanged.

And further moved and seconded that the Bond shall be subject to redemption upon such terms and conditions as are set forth in the Bond.

And further moved and seconded that each member of the Board of Selectmen, the Town Clerk, the Town Treasurer and any other officials of the Town be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

And further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted on the Town bulletin board and in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b); at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bond were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

So voted, and all necessary paperwork was signed.

D. STILL HART'S RE: LIVE ENTERTAINMENT

William Leach and Jeff Bennett, owners of Still Hart's, Inc. on 47 Forest Street, came in to request permission to have live entertainment at their establishment in September to celebrate the 25th anniversary of the business. They plan on having entertainment on four Saturday nights, the 8th, 15th, 22nd, and 29th from 8 PM to 11 PM. Mrs. Walter moved, and Mr. Chabot seconded, a motion to allow live entertainment on those dates for those hours. So voted.

E. STILL HART'S RE: ALCOHOL PERMIT

Mr. Leach and Mr. Bennett said that they would like to hold a clambake in their parking lot on Sunday, September 30th from noon to 7 PM. They reported that the parking lot would be closed to vehicles, and a large tent set up with tables and chairs. The only access to the parking lot would be through the building. The gentlemen asked for permission to allow their patrons to drink alcohol in the outside area during the clambake. Mrs. Walter so moved, and Mr. Chabot seconded. So voted.

F. LINDA NORRIS RE: 65 GILBERT STREET

Linda Norris of 65 Gilbert Street, and Joanne Decourcy of 61 Gilbert Street came in to speak with the Selectmen about a drainage problem that causes their basements to flood during heavy rainfall.

Highway Superintendent Gary Jean was present and said that he had spoken with both women earlier today. He noted that he can't fix the problem, but he can take temporary measures to protect their property, such as using sandbags and pumps if heavy rain is expected. He said that United Drain would be coming to inspect the drain lines in the morning to see if there are any blockages in the lines.

Mr. Jean stated that this is a known problem, the water drains from up on Oakham Road and Bell Hill, and flows through backyards down to Gilbert Street. Unfortunately, these two homes are located in a low-lying area, and water settles there. Mr. Jean stated that an impact study needs to be performed, and then the engineering would need to be drawn in order to bring the drain lines back into the roads where they should be. Hopefully some grant money can be obtained through the Hazard Mitigation program.

When Ms. Norris asked how long this would take, Mrs. Walter stated that it is an old problem resulting from old infrastructure, and it could take several years to fix.

Mr. Petraitis told the two women that the Board understands their concerns, and that the Board would try to get the impact study for diverting the water done as soon as possible.

Mrs. Walter stated that the homeowners always have the option of asking for the money at Town Meeting through a petitioned article.

Mr. Chabot asked Mr. Jean if he could dig a trench to send the water down Gilbert Street, but Mr. Jean noted that the two houses are in the lowest area. Mr. Jean noted that perhaps the current work that is being done to eliminate beaver dams downstream will have a beneficial effect on the drainage in this area. Mr. Jean stated that he would do his best to try and work on a solution for this problem.

G. NORTH BROOKFIELD HAS RECEIVED A HOMECORPS GRANT FOR \$20,000.00 TO HELP CLEAN UP ABANDONED PROPERTIES

Jim Caldwell from the Board of Health was present to update the Selectmen on a grant received by the Board of Health to help clean abandoned properties in Town. Mr. Caldwell reported that the Attorney General's office has awarded North Brookfield \$20,000.00 in Municipal and Community Restoration Grant funds as seed money to start a revolving fund. The Board of Health will evaluate abandoned properties, and will start out with ones that represent the greatest health and safety hazards. The Board of Health will "clean and lien" the properties, and the Town will be repaid when the properties are sold. The money that is recouped after the sales will be deposited back into the revolving fund, so that more properties may be cleaned up. The Selectmen agreed that this is welcome news.

H. MIIA LOSS CONTROL GRANT

Mr. Petraitis read a letter from MIIA, the Town's insurance carrier, notifying the Selectmen that the North Brookfield Water Department has received \$2,140.00 in Loss Control Grant funds to purchase a Confined Space Entry Kit. (Attachment #5) Mrs. Walter moved, and Mr. Chabot seconded, a motion to accept the grant funds. So voted.

I. DISCUSS BOS FALL MEETING SCHEDULE

After some discussion, the Selectmen agreed to continue with the every other week meeting schedule, with special meetings to be scheduled on the "off" weeks for contract negotiations or budget meetings when necessary.

IV. ANNOUNCEMENTS

A. THE STATE PRIMARY ELECTION WILL BE HELD ON THURSDAY, SEPTEMBER 6TH FROM 7 AM TO 8 PM AT THE SENIOR CENTER

Mr. Petraitis announced.

B. THERE WILL BE A SPECIAL ELECTION ON OCTOBER 4TH FROM NOON TO 8 PM TO VOTE ON THE BAY PATH VOCATIONAL SCHOOL RENOVATION PROJECT

Mr. Petraitis announced.

C. THE LAST DAY TO REGISTER TO VOTE AT THE NOVEMBER 6TH PRESIDENTIAL ELECTION IS WEDNESDAY, OCTOBER 17TH FROM 9 AM TO 8 PM IN THE TOWN CLERK'S OFFICE

Mr. Petraitis announced.

D. DOG LICENSES ARE NOW OVERDUE. THERE WILL BE AN ADDITIONAL \$25 FEE AFTER SEPTEMBER 1ST

Mr. Petraitis announced.

V. FUTURE AGENDA ITEMS

At the next meeting the Selectmen will be appointing an Agricultural Commission, and also the Community Development Advisory Committee.

Mrs. Walter said that she will ask the Water Department if they plan on having a ceremony for the completion of the Horse Pond Dam project.

Mr. Chabot thanked everyone who worked so hard on last week's 200th anniversary celebration and parade.

At 8:20 PM Mrs. Walter moved, and Mr. Chabot seconded, a motion to enter Executive Session to consider strategy related to litigation, and to discuss strategy related to collective bargaining, because an open session may have a detrimental effect on the Town's negotiating position. Roll call: Petraitis, yes; Walter, yes; Chabot, yes. So voted. Mr. Petraitis announced 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. Chabot seconded, a motion to adjourn. So voted.

Respectfully submitted,

Leslie Scott Burton
Administrative Assistant