

Town of Brimfield  
Board of Selectmen  
Town Hall Annex – 21 Main Street  
Meeting Minutes – February 4, 2019

Present: Chair; Paul McCarthy, Vice Chair; Michele-Lee Shea, member; Paul Vandal, member; Carolyn Haley, member; Ryan Olszta, Recording; Admin; Carol Camerota,

Others: Accountant; Marie Arsenault, Treasurer-Collector; Andrea Beaudry, Town Clerk; Bob Sullivan, Police Chief; Charles Kuss, Fire Chief; Brendan McCarthy, Capt. Jim Donovan; Finance; M. Doyle, Pavel and Igor Shevetsov, Stanley (last name unknown), Field owners, M. May, L. Shelton, P. Waite, Doldoorian, S. Collins, M. Miller, Don and Pam Moriarty, S. Sushana, Christo, D. Sturtevant, L. Faxon, D. Girouard.

Cable recording: Jason Bolte

Call to order: 6:00 p.m.

(Shea) called to order at 6:01 p.m.

**Payroll & Warrants:**

Reviewed and signed by board members.

**Minutes:**

Review and approve minutes of January 22, 2019.

Motion: by (Haley) move to approve minutes of January 22, 2019 as written, seconded by (Vandal), all in favor. (Shea) and (Olszta) abstain

**Review & Action**

Accountant, Treasurer-Collector & Town Clerk:

Signing of municipal note (Safety Complex Borrowing)

The \$250,000 note borrowed in November for the safety complex matures Feb. 15<sup>th</sup> and \$125,000 of this will be renewed to meet short term expenses. Another larger borrowing will occur later in the Fiscal Year after more definitive expense timelines are known. The Board signed municipal note.

Sign Audit letter from Scanlon & Associates:

Vice Chair (Shea) signed audit engagement letter for Scanlon & Associates. Chair was not present yet.

D. Sturtevant – Annual Owner Operator license and violation:

Not present - hold

Compass Auto – Class II MV License renewal:

Pavel and Igor Shevetsov along with Stanley (last name unknown) from Compass Auto came before the board regarding their renewal of a Class II License. Board reviewed the complaint brought to the last meeting of a customer that bought a car at Compass, it did not pass inspection and they wanted to return it. Stanley said they bought the car for \$2,500 and knew it had defects but 4 days later they wanted to return it. He felt harassed by the customer. The board informed them that the LLC for Compass had not been renewed since 2015 and renewal of the Town's License will not be approved until that is done.

**Motion:** by (Vandal) move to put license on a future agenda after LLC has been updated with the State, seconded by (Shea), all in favor.

Sign Appointment letter for Earl Rhodes, Bylaw Committee member:

Board signed letter.

Fiber tier:

Tantasqua IT gave (McCarthy) the numbers for adding on Fiber tier. Several options were available. The 5 year agreement had better rates at 100M/100M, for 60 mos. with a lock in cost of \$577 mo. Discussion on whether this amount will continue to increase and if the 50/50 would work for now and then increase to 100. (McCarthy) will gather more details.

D. Sturtevant – Annual Owner Operator license and violation:

(Olszta) will abstain. A violation given out at the September Flea Market to D. Sturtevant has been appealed in court. The court didn't coordinate their paperwork in a timely manner with the Police Dept. The hearing will be next week. (Olszta) did confirm that was correct. The board discussed briefly the details of the event and reasons for enforcing permits. More conversation will continue when the Police Chief arrives.

Annual Licenses:

C. Camerota added several license to the agenda pending her receipt of them from the Building Department sign off, however they were not received. Licenses for the following that were on the agenda will not be signed off on at this meeting.

Special & One Day Liquor License:

Auction Barn Innovations, R. Corriveau, 35 Main Street  
Grand Trunk, J. Hopkins, 65 Palmer Road

Owner Operator Licenses:

Auction Barn Innovations, R. Corriveau, 35 Main Street  
Grand Trunk, J. Hopkins, 65 Palmer Road  
Collins Apple Barn, S. Collins, 52 Palmer Road

B & B License:

Elias Carter House, L. Myers, 8 N. Main Street

**Motion:** by (Shea) move to approve Annual License for the following:

Owner Operator Licenses:

Green Acres, D. McCurdy, 9 Prospect Hill Road

Shelton's, L. Shelton, 34 Main Street

Mays, M. May, 10 Palmer Road

Mahogany Ridge, M. Kelly, 1 Warren Road

BAC Management, (Faxon) Midway & Dealers Choice, 35 & 71 Palmer Rd.

Quaker Acres, L. Adams, 20 Palmer Road

Common Victualler:

St. Christopher Parish, 18 Sturbridge Road

Shelton Antiques, L. Shelton, 34 Main Street

Class II MV License:

Brimfield Automotive, A. Giza, 285 Webber Road

Seconded by (Haley), all in favor.

The Board also signed 2 Licenses for Automotive Specialties & Repairs that were approved at the last meeting but the licenses were still with the Building Commissioner.

Appointment letter for E. Rhodes from the last meeting was also signed.

Rec Committee – 5K Crush run:

The Board was in favor of the Rec Committees request to hold another 5K CRUSH run on October 13<sup>th</sup> at Brimfield Winery.

**7:00 p.m. Public Access**

None

**Old Business:**

Resign Authorized signatory for MassDOT (correction):

Authorization was signed at the last meeting but in the wrong place.

Annex Furnace:

The Annex furnace has been having problems for the past several years. The Selectmen's office and Treasurer's office were without heat last week due to frozen pipes. The furnace needs to be replaced.

D. Sturtevant (con't):

Chief Kuss informed the Board that Ms. Sturtevant's Bylaw violation would have alerted the Board to review her application renewal for 2019 within 60 days, however the slip up with the courts paperwork made it too late. The Board could renew effective on future applications. (Haley) suggested approving pending any further action by the court. Appealing the violation in court and the Board's review of an annual license are 2 different matters. Officer Sampson issued only 1 citation for at least 5 permit violations on Sturtevant's property.

Sturtevant explained that her dealer was unloading and not selling. Chief Kuss spoke to trying to enforce rules that were already in place.

The Chair asked to close the subject with Ms. Sturtevant but discuss the Bylaws with the Flea Market owners. The Board understands that mistakes happen nonetheless would like a reasonable solution for everyone when dealing with the rules and regulations.

**Motion:** by (Shea) move to sign Sturtevant's Annual Owner Operator License for 2019, seconded by (Haley), all in favor.

7:30 p.m.

Flea Market field owners:

It was brought to the Field Owners attention that in 2021 the dates in September conflict with 2 Jewish Holidays as the Bylaw is written.

*2.3.10.2 Calendar Dates: The legal period shall begin on the second Tuesday in May, the second Tuesday in July, and the first Tuesday after the Labor Day holiday in September, except when religious holidays dictate otherwise. (amended May, 2007)*

Consensus was to keep 2021 at the first Tuesday after Labor Day.

S. Collins spoke to the trash left behind at the end of the market and that it was only 1 or 2 fields needing to be cleaned up. The Board should address those owners, and that the majority of fields take very good care of their fields. Tents also can't be taken down until they are dried out if there had been rain.

Chief Kuss reminded everyone of the 35' setback rule and that MassDOT may be revisiting this issue since they own 60'. He will continue to enforce this regulation to keep pedestrians and flaggers off the street and safe.

Mr. Christo remembered when less Police were needed for traffic control and early set up.

Fire Chief McCarthy and Capt. Donovan recapped the need for fire extinguishers in every tent, no smoking signs, fire lanes and how important they were.

The Board supported the Fire Departments diligence for safety with such large crowds.

Vendor permit fees were raised from \$35 to \$40 set to begin Fiscal Year 20, July 1, 2019.

Discussion revolved around the Bylaw that states vendor lists with State tax ID #'s should accompany the permit stubs when turned to the Selectmen's office. Field Owners didn't feel it was necessary with all the work they have to do with opening. No clear reason was given as to why the Bylaw was written the way it was.

(Olszta) shared information on managing large events and the number of officers required. Stating that for just 2001-3000 attendees at a fair/festival, 6 officers, 1 Sergeant and 10 private security staff would be needed and over 3000, each additional 500 attendees required 2 additional officers. Chief Kuss added that his entire department is only allowed 760 hours to police the entire week.

Several field owners expressed that they couldn't account for all their vendors at all times when opening day is so busy.

(Haley) left meeting at 8:28 p.m.

D. Moriarty gave an overview of revenue to the town and the fluctuation with dealers over the years. He praised the Police, Fire and Ambulance. His explanation as to the Bylaw regarding the requirement of State tax ID #'s was that there was a change in the State Law for transient vendors. It's not the responsibility of the vendor but now the State promoters to take care of the filing. The Bylaw may need to be changed.

The Chief reiterated the necessity for permitting and making the effort to collect the fees.

Several fields admitted it was hard to prevent people from entering their field due to multiple entrances in the rear of their fields. M. May would like the town to soften their enforcement.

**Motion:** by (McCarthy) move to adjourn at 9:21 p.m., seconded by (Shea), all in favor.

Upcoming Meetings:

**Board of Selectmen**

February 4, 2019 @ 6:00 p.m.

Respectfully Submitted:

*Carol Camerota*

Recording: Carol Camerota

ACCEPTED: *Paul McCarthy* DATE: *2/19/2019*

Documents Utilized for this meeting

**MATERIALS FOR BACKGROUND AND REFERENCE**

1. Minutes of January 22, 2019
2. Audit letter from Scanlon & Associates
3. D. Sturtevant application and violation
4. Compass Auto License application
5. Appointment letter: E. Rhodes
6. Annual Licenses
7. MassDOT signature authorization
8. Request from Rec for 5K CRUSH run
9. Flea Market associated documents