

Town of Brimfield
Board of Selectmen
Town Hall, 21 Main Street
Meeting Minutes – March 5, 2018

Present: Chair; Michael Miller, Vice Chair; Harold Leaming, member; Paul McCarthy, member; Paul Vandal, member; Michele-Lee Shea.
recording; Carol Camerota

Others: Police Chief Kuss, Trail; Richard Costa and William Simonic, Officer; Ryan Olszta, ACO; Christian Petersen, Town Clerk; Robert Sullivan, Fire Chief; Brendan McCarthy, Conservation; Michele Restino, residents, Anna Ozolins, Brian Caron, Don and Pam Moriarty, Kate Corriveau, Pat Waite, Lori Faxon, Lois Shelton, Ellen May.

Cable recording: B. Datz

(Miller) call to order at 6:15 p.m.

Payroll & Warrants:
Signed by Board

Minutes:
Review and approve meeting minutes of February 20, 2018.

Motion #18-141: by (Leaming) move to approve minutes of February 20, 2018, seconded by (Vandal), all in favor.

Review & Action:

Petition Article – B. Caron:

Caron began by thanking Brimfield's mutual aid for assisting with a fire at his property in Sturbridge. He was very appreciative.

This year's solar article is the same as the one put on last year's Warrant at the Annual Town Meeting, the only difference is that it is for his parcel only.

Discussion of the process and the board reminded him that Planning Board has to follow the solar bylaw and questioned whether this could be done for only one parcel in town. It then becomes "spot" zoning. Caron pointed out that spot zoning has been done before in town. He also commented that something should be done soon or solar panels will start showing up along Rt. 20.

The board advised him to seek legal counsel and that the Selectmen can accept or reject the Article if there is just cause. All Articles are reviewed by Town Counsel. (Leaming) will abstain due to an appearance of conflict. (Miller) asked if any member objected and reminded Caron that Articles are being put on the Warrant in the order they are received. (McCarthy) understood that no support was needed if it's a petition Article.

Warrant Article - Trail Committee:

Dick Costa and William Simonic came before the board asking for the town's support. They would like to create a line item in the budget for the Trail Committee. Because they've already asked Legislators and DCR for grant funds, it might be easier to obtain if the town has already supported the cause. They presented the board with a spreadsheet showing the number of cars throughout the year that use the Trail parking lot averaging around 1,000 per month. Their most recent grant will bring in \$28,500. (Leaming) asked if this request would be for perpetuity. He agreed that Representative Todd Smola would like to see the town's support. He also added that the town should start investing in recreation. Costa mentioned that Trail has been getting quite a few requests for porta potties. They would like to have one placed that is ADA compliant for the 6 month period when the gate is open.

(Miller) would like to bring this request up with Finance and the Accountant prior to the next meeting.

Discussion of the barrels places at the entrance and the safety of cars turning around or parking at that spot on Rt. 20.

Anna Ozolins – Lake Sherman:

Ozolins informed the board that the water level at Lake Sherman was inspected last year and will be again this year. She is asking to place a Warrant Article for \$30,000 from the Thames River account for repair of the dam. M. Restino, Chair of Conservation clarified that Conservation Commission is an approval board. A new NOI (Notice of Intent) will need to be filed for this project. (Leaming) commented that the amount of money needed to be set aside for engineering for this 2 to 3 year project would be \$60,000 on the low end. (Miller) asked if (Leaming) supported this project at which he replied, wholeheartedly. The town should be good stewards of the lake and the combination of both lowering of the water and chemicals is a step in the right direction.

Motion #18-142: by (Leaming) move to add dam repair Article at Lake Sherman on the Warrant, seconded by (Shea), all in favor. (McCarthy) abstain

Solitude Lake Management contract:

Ozolins would also like an Article same as last year requesting funds to help clean up Lake Sherman. 2018 contract and report have been received.

Lake Sherman sign:

Ozolins has been a longtime resident of Brimfield and likes to help with the improvement of the community. Other towns have signs welcoming residents and visitors to their lakes. Lake Sherman averages 1,500 boaters every year. She presented suggestions for a sign on Cubles welcoming people to Lake Sherman.

(Miller) suggested going to the Finance Committee for funds and Highway and Building for the sign.

Animal Control Officer:

Christian Petersen addressed the board and informed them he had been the Animal Control Officer for 17 years. (Vandal) commented that it seemed like he was frequently unavailable since he had received 7 or 8 complaints about that. Petersen replied that he would like them to take care of their budgets on \$100 a month. He needs his full time job for health insurance and salary to raise his family. He is not always in town to respond and when he can't, dispatch steps in. He handles rabies quarantines and often takes in animals. (Vandal) said his complaints were that he didn't call people back and if he can't handle the job to move on. ✓

Revisit in 2 weeks. Monthly reports are being turned in. (Leaming) stated that Petersen has had a good track record for 17 years and to make more of an attempt to call people back.

New Business:

Discuss Annual Town Meeting location:

Public Access; Bob Datz and Town Clerk; Bob Sullivan were addressed by the board on whether the Town Hall was big enough to handle this year's town meeting. (Miller) has been in contact with the Elementary School Principal and the school is available and possibly Tantasqua as well. (Miller) reported that in 2013 265 voters turned out and he can't recall people ever being turned away. Datz told the board that a DJ was hired when town meetings were held in the Elementary School. Any facility chosen must handle overflow along with allowing residents to participate, speak and vote.

7:00 p.m.

Flea Market Owner Operators:

(Miller) made comment that in spite of the remarks on social media this weekend this meeting with Field Owners was to have an open discussion about a plan for the future. The board was not looking to cut police hours or raising fees.

(McCarthy) presented a spreadsheet on a projector showing the permit fees reserved and realized over the past 5 years. The highest costs would be fire, police and ambulance. The expenses are going up while the revenue seems to be going down. L. Faxon told the board that May seems to be steady while July and September are going down.

(Miller) asked how the field owners measured the number of people coming to town. (Leaming) stated that he had been in town since 1973 and protocol for parking cars has changed since then. He would not be comfortable having less police.

There is a possibility that receipts are going down due to Ebay.

L. Shelton addressed the board and field owners stating that she knows nothing about what went on this weekend on Facebook however revenue that has been questioned by field owners is the 85% inspectors are receiving.

(Miller) clarified that the Selectmen changed the Building Inspector fees several years ago to salary from fee based. Police did have an increase on the weekend prior to the show opening due to early selling and dealers setting up.

The board asked how the town can work with the field owners to make sure everyone has a permit and asked what happens if the sales continue to go down and expenses go up.

K. Corriveau questioned what happens to early sellers. The Chief responded by saying he allots 650 hours over the 6 days during the market and another 110 hours prior to the show opening. He has 1 officer per 1,000 people but is only achieving half of the average for coverage. His manpower is conservative. The town's bylaws read that fields should have fencing and notice posted that they are closed. He speaks to the field owners but does not typically fine them \$25 for early selling. A large number of hours would have to be cut in order to reduce the cost. He also spoke to the fact that the parking lots do not pay a fee to the town but make revenue. Are they being taxed the same way the field owners are?

D. Moriarty stated it was true because of Ebay many flea markets have closed down. Brimfield is still surviving however. Millennials have a change in values and don't necessarily want many of the items being sold. Brimfield is renowned and known internationally. In the 37 years he has been doing business the fire and ambulances have been excellent. The 1980's were rough with the Police but since Chief Kuss has been on things are much better. His officers are courteous and the traffic flow is better than it used to be.

Some fields historically have been used to help the community during the rest of the year by hosting events on their property. The Congregational Church has taken in \$112,000 in 2 years which is half of their budget. They also host the boy scouts, AA meetings and the car show. It is important that everyone work together. Because the dealers only need to purchase 1 permit for the week, when they change from field to field they aren't always checked. He will be checking this year again though. In FY15 35% of flea market revenue went into the town's general fund giving the town an average of 20 to 30% profit.

L. Faxon personally sells her vendor permits and thanked the Chief for his officers being kind to vendors. (Miller) thanked the field owners for attending.

Recess at 8:30

Reconvene at 8:35

Public Records Request regarding Police Department:

Cancelled

Resident appeared before the board to speak of her encounter with the Animal Control Officer 3 years ago. (Miller) reminded those present that there would be no attacking the ACO when he is not present. Her concerns were not with the ACO and she was not upset with him, but wanted to know what his role was and the

protocol for dealing with a rabid animal. In her case when the town's ACO did not come she ended up having the State Police come and kill the raccoon. (Leaming) also reminded her that he was uncomfortable discussing this when the ACO was not present. Chief Kuss responded that the role of the ACO was to respond to calls pertaining to dogs, sometimes cats but no wild animals or large animals. The local police will take calls and responsibility if needed. Officer Olszta questioned the ACO bylaw.

Easter Egg Hunt on common:

The board questioned Officer Olszta about the Easter Egg Hunt on the common and if he had contacted the Board of Health about food vendors and liability insurance for pony rides and bounce house. The owners of the ponies and bounce house have their own insurance. (Miller) suggested having the Highway Surveyor sign off Friday night before on the ground condition.

Annual Common Victualler License:

Motion #18-143: by (Leaming) move to approve 2018 Common Victualler Licenses for P & P Concessions, Peter Hyslop, Westmore, VT, Jackson Effie Coffee Cabin, Nancy Ciara, Princeton, MA and Del's Lemonade, Bruce Delucia, Cranston, RI, seconded by (McCarthy), all in favor.

Class II, Used Car Dealer License:

Motion #18-144: by (Leaming) move to approve Class II, used car dealer license for Andre Giza dba Brimfield Automotive, 285 Webber Road, seconded by (Shea), all in favor.

Special & One Day Liquor License:

Motion #18-145: by (Leaming) move to approve a Special & One day liquor license for Grand Trunk, James Hopkins, 65 Palmer Road. 75' setback was indicated on map. Seconded by (Vandal), all in favor.

Old Business:

Insurance renewal rate lock letter signed by Chair

New Business:

Chief Kuss commented on the annual car show to be held at Heart O The Mart. Historically the car show has benefited the Hitchcock Academy. Now it has changed and the Congregational Church will benefit. 16 hours of detail pay equaling \$608 will be out of his budget. This is a change of benefactor for a private entity. Should the town support or bill the Church.

(Leaming) felt the town should support since the Church holds scout meetings, AA meetings and the Sr. Center which pays rent. The Chief wanted to make sure the board was clear that the benefactor has changed. (McCarthy) and (Shea) are uncomfortable and would like to revisit.

Public Access:

None.

Motion #18-146: by (Leaming) move to adjourn at 8:58 p.m., seconded by (McCarthy), all in favor.

Upcoming Meetings:

Board of Selectmen

February 19, 2018 @ 6:00 p.m.

Respectfully Submitted:

Carol Camerota

Recording: Carol Camerota

ACCEPTED: *Michael Miller* DATE: 3-26-18

Documents Utilized for this meeting

MATERIALS FOR BACKGROUND AND REFERENCE

1. Minutes of February 20, 2018
2. Trail spreadsheet
3. Caron petition article
4. Lake Sherman clean up article
5. Dam repair article
6. Lake Sherman sign information
7. Animal Control annual report
8. Permits and licenses