

**SPECIAL BOARD OF SELECTMEN MEETING
MINUTES
JULY 11, 2011 – 7:30 P.M.
BROOKFIELD HIGH SCHOOL MEDIA CENTER**

CALL TO ORDER: First Selectman William R. Davidson called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited by all present.

PRESENT: William R. Davidson, First Selectman; Howard Lasser, Selectman; Steve O'Reilly, Selectman; Jay Wahlberg, Controller; members of the public & press; Virginia Giovanniello, Recording Secretary.

PUBLIC COMMENT: There was no public comment.

ANNOUNCEMENTS: Mr. Davidson announced the following:

- The status of Kanine Kingdom should be located on the agenda under new business.
- The United Way had their Day of Caring and the purpose is for organizations and businesses to give back to the community. The Union Savings Bank employees moved the Town's Food Bank from one location to another at Town Hall. The day before the major storm on June 9th, employees from UPS and I-95 Radio did extensive landscaping work on the town hall property. After the storm, John Plummer, Superintendent of Roads, and the road crew did an incredible job of cleaning up trees everywhere. The volunteer firemen helped track utility crews and emergency calls. The YMCA opened their facility to the town and 150 residents took advantage of bathroom & shower facilities. The dispatchers at the Police Department answered incessant phone calls for the Police, Fire and Ambulance and residents during storm. Fire Marshal Wayne Gravius worked tirelessly with all emergency departments.
- The Rotary Club did a tremendous amount of work to shape up the Memorial Garden in front of town hall.
- The Lion's Club held their Annual Senior Picnic attended by seventy-five seniors.

CORRESPONDENCE: Mr. Davidson noted the following correspondence:

- Rural Water Company regarding the sale of their wells, related equipment and underlying land to Aquarion Water Company.
- The Brookfield Library Foundation request for an ad hoc committee to determine locations for a new library and recreation facilities.
- CT Commission on Culture & Tourism letter regarding a proposed dog park & deterioration of the Gurski Farmhouse.
- DPUC is conducting a public hearing on August 17th at 6:30 p.m. for public comment only regarding Aquarion Water Company's acquisition of Brookfield Water Company.
- DPUC letter notifying that they are in receipt of the Town's petition to withdraw its request dated 4/20/11 to investigate the public fire hydrant rates by Brookfield Water Company and Rural Water Company. Recently the two water companies approached the Town and have agreed to pay half the hydrant rates.
- DPUC letter regarding joint investigation by DPH and DPUC regarding designating The Potatuck Land Co. and The Potatuck Club, Inc. as Intervenors to the proceedings of Greenridge Tax District.

UPDATES

BROOKFIELD VOLUNTEER FIRE DEPARTMENT (92 POCONO ROAD): Howard Lasser made motion to move to Item 4a on the agenda, seconded by Steve O'Reilly. Motion carried unanimously. Mr. Bob Nuzzi, Chairman of the Board of Directors of the Brookfield Volunteer Headquarters Company, and Lou Menendez, newly elected President of the Company, were present to explain the Fire Department's proposed use of the Town's line of credit for the purchase of two new fire trucks. They are retiring three trucks and replacing with a new pumper and tanker truck. The Selectmen suggested that there should be a process that spells out the terms of such an agreement even if the town is not incurring an expense. The town would lease the equipment and the fire department would be paying for it. Controller Jay Wahlberg will investigate ideas with the Town Attorney will put in place a comprehensive capital plan for both fire departments for any future requests.

WPCA REQUEST FOR SEWER EXTENSION: Howard Lasser made motion to move to Item 4e on the agenda, seconded by Steve O'Reilly. Motion carried unanimously. Mr. Nelson Malwitz, Chairman of the Water Pollution Control Authority, was present to discuss WPCA's future plans to extend the sewer service area to those properties along Dean Road from its intersection with Silvermine Road to the northerly end and along the parallel portion of Pocono Road from Silvermine Road to the north. The area of concern is challenging due to the poor septic soils and high water tables. Mr. Malwitz stated that the WPCA needed permission from the Selectmen to move ahead with the Land Use process. Town Sanitarian Paul Avery has noted in a letter dated 2/24/11 that he supported the extension as the area is consistent in revealing poor draining soils with high restrictive layers due to either wetlands characteristics or high impervious hardpan soils. Septic system repairs cannot comply with today's Regulations and Technical Standards for Subsurface Sewage Disposal (septic) Systems due to the unsuitability of the soils. Septic systems in these types of soils are particularly prone to back-ups into homes, and/or seepage at the surface and the associated health and environmental hazards. Mr. Avery was on vacation at the time of this meeting, and the Selectmen requested that Mr. Avery attend the next Selectmen's meeting in August as well as receiving input from Land Use.

KID'S KINGDOM PLAYGROUND: Mr. Davidson noted that the re-bidding of this project is scheduled at 10:00 a.m. on July 19th and will be well under the town's approved appropriation of \$500,000. At conclusion of discussion, Howard Lasser made motion that the First Selectmen has the authority to sign the Personal Services Agreement (PSA) in the amount of \$250,000 for the Kids Kingdom Project CSAP 2011-07, seconded by Steve O'Reilly. Motion carried unanimously.

SOUTHERN WATER LINE PROJECT PHASE II: Mr. Martin Handshy, Water Consultant to the Selectmen and Steve Sullivan, Engineer from CCA, was present to explain the proposed second phase of the Southern Water Line Project. Mr. Handshy stated that Phase II would begin at 360 Federal Road (where Phase I ends) and continue about two miles to Candlewood Lake Road. There would be a 621,000 gravity tank located at 540 Federal Road that would convert all Brookfield's water systems to a gravity system during business hours and it fulfills a very large fire need. Phase II also includes 800 linear feet to access Sandy Lane Village and Rollingwood Condominiums and about sixty other businesses along the main commercial corridor. Southern Water Line Project – Phase III is the remaining 800 feet still under consideration to occur at a future date. The cost for the planning, design and construction is \$4,685,000 to be distributed over the users and benefit assessments process and revenue neutral to town taxpayers at large. The STEAP Grant process has started and the town is looking at any other possibilities to offset the costs. Approvals from the Board of Selectmen and Board of Finance, various Land Use departments and Town Meeting are needed. Ultimately a Town Referendum vote will take place.

TOWN EASEMENT FOR WATER PUMP STATION: Mr. Steve Sullivan, Engineer from CCA, and representing Aquarion Water Company, gave a brief presentation for a proposed easement to locate a water pump station at the corner of Whisconier and Aramon Circle for a waterline extension from Silvermine Road to the Greenridge community that would also include Center School and two condominium complexes located along Route 25. An extensive list of approvals would be required for an easement and includes the Conservation Commission,

Inland-Wetlands, Planning Commission, Historical District Commission, Board of Selectmen and a Town Meeting. Mr. Eric Bernard, Project Manager for Aquarion, stated that they were also considering other alternate sites as well, one of them the Fire Department property at the intersection of Routes 133 & 25. In response to questions by the Selectmen, Mr. Bernard stated that the DPUC had requested alternate solutions for Greenridge residents, and Aquarion has the same time frame as the United Water Company plan to get the necessary town approvals and have water to Greenridge residents by the end of the year. They are looking for favorable opinions to use open space contingent upon receiving Land Use approvals. Mr. Bernard stated that this is basically an introductory request depending on what happens at the DPUC meeting this Thursday.

RETIREMENT BENEFITS ADVISORY COMMITTEE: Mr. Lasser stated that the Selectmen and Retirement Benefit Advisory Committee (RBAC) had interviews with the various proposers to manage the town's pension funds. The RBAC will review the follow up questions and make recommendations to the Selectmen.

SOUTHERN WATER LINE PROJECT PHASE I – OLD NEW MILFORD ROAD: Mr. Davidson stated that this project was approved a few weeks ago, and they are now proceeding to bid the project at 10:00 a.m. on July 29th.

MONTHLY FINANCIAL RESULTS: Controller Jay Wahlberg gave an update on the Town's Revenue & Expenditure Report for the month of May.

SENIOR CENTER PROJECT: Mr. Davidson reported that the ADA items and punch list are substantially complete and are awaiting new door hardware for the large meeting room and ladies bathroom door.

HIGH SCHOOL PROJECT: Mr. Davidson reported that they are still working on claims between the Town and Morganti.

FERRY PROPERTY/52 OBTUSE ROAD SOUTH: Mr. Davidson reported that the Town will hire an Appraiser for the property and will move forward with the approval process to purchase the approximately 22 acres as Open Space.

STILL RIVER GREENWAY PHASE I: At conclusion of discussion, **Howard Lasser made motion to approve a Resolution that the First Selectman is authorized to sign the agreement entitled "First Supplemental Agreement to the Original Agreement dated 9-24-10 between the State and the Town for the Construction, Inspection and Maintenance of the Still River Greenway Phase I Utilizing Federal Funds Under the Enhancement Component of the Surface Transportation Program," seconded by Steve O'Reilly. Motion carried unanimously.**

SEWAGE DISPOSAL SYSTEMS ORDINANCE CH. 182: The Selectmen omitted this item from the current agenda, and suggested that Dr. Sullivan continue to pursue the State DEP consent order issued in 1985 for requirements of septic inspections under the town's ordinance.

NEW ITEMS

IFPTE UNION CONTRACT: Mr. Lasser suggested that the Selectmen should have an Executive Session once they have the contract in order to discuss some of the details and to have a cost analysis associated with it. At conclusion of discussion, **Howard Lasser made motion to approve the IFPTE Union Contract, seconded by Steve O'Reilly. Motion carried unanimously.**

HOUSATONIC REGIONAL RECOVERY AUTHORITY (HRRA): Mr. Davidson will request HRRA Director Cheryl Reedy to provide an update to the Selectmen. At conclusion of discussion, **Howard Lasser made motion to approve the Municipal Solid Waste Collector Registration Resolution, seconded by Steve O'Reilly. Motion carried unanimously.**

WPCA FINANCIAL RECORDS: The Selectmen and WPCA Chairman Nelson Malwitz discussed monitoring procedures regarding the ordinance governing WPCA, and suggested that there be an annual financial review for the operating budget of WPCA. It was noted that 1996 was the last time this was reviewed and amended. Mr. Davidson noted that the WPCA is appointed by the Selectmen and this was a starting point of a conversation to search for ways to have that oversight without interfering with or managing the WPCA as that is not the intent of the Selectmen, and that this was more of a policy issue rather than an accounting one.

HISTORIC DOCUMENTS PRESERVATION GRANT #018-PC-12, Cycle 1, FY 2012: Steve O'Reilly made the following motion: **Resolved that William R. Davidson, First Selectman, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Documents Preservation Grant, seconded by Howard Lasser. Motion carried unanimously.**

BOARD OF SELECTMEN MEETINGS: The Selectmen omitted this item from this month's agenda.

DOG PARK (KANINE KINGDOM): Howard Lasser made motion to move Item 3i under New Business, seconded by Steve O'Reilly. Motion carried unanimously. Mr. Davidson stated that a volunteer effort by resident Keith Wolff had suggested a dog park location at the Gurski property. The State Historic Preservation Office have given two matching grants toward preservation efforts on the property through the CT Commission on Culture & Tourism, and have a say on how the Gurski land is used as they hold a preservation restriction on the property, and could not recommend approval of the proposed dog park to the Historic Preservation Council. Mr. Davidson stated he was personally supportive, but felt this was not an appropriate location for a dog park. He suggested that the Selectmen consider other town properties and then walk various properties at an appropriate time. Mr. Lasser noted that if this is a volunteer effort, the supporters and volunteers need to come with money in hand to create a dog park and the sufficient funds for maintenance.

CONSENT AGENDA

BOARD OF SELECTMEN MEETINGS: 6/6/11 (2), 6/27/11, 6/28/11, 6/29/11 & 6/30/11.

NEW HIRE REPORT: For the month of June 2011, the following staff changes are reported:
Departing Staff: Georgia Lawrence, Tax Collector, gave resignation effective August 1, 2011.
Announced Position: Tax Collector – Full Time, Non Union, External Posting open until filled.
New Hire: Elizabeth Burandt, Tax Collector Aide, effective June 6, 2011.

BOND RELEASES:

Driveway Bond Releases in the amount of \$750:

- 43 Riverford Road, posted by TEMA Construction, #1812
- 43 Riverford Road, posted by A&J Construction, #1934
- 23 Lillinonah Drive, posted by A&J Construction

Excavation Bond Releases:

- Candlewood Lake Road/Nabby Road, posted by WhiteCo Residential, LLC - \$50,000.
- 8 Cherry Lane, posted by Hawks Nest Development, LLC - \$500.00.

- 5 Nabby Road (Town Brooke), posted by M&O Construction Company - \$10,000.
Planning Commission Bond Release:
- 58 Stony Hill Road, Pine Grove Estates, #200700648 - \$14,491.

CONSENT AGENDA: Howard Lasser made motion to approve the Consent Agenda, seconded by Steve O'Reilly. Motion carried unanimously.

ADDITIONAL MONTHLY AGENDA ITEMS

APPOINTMENTS: There were no appointments.

PUBLIC COMMENT: There was no public comment.

ADJOURN: Steve O'Reilly made motion to adjourn at 9:20 p.m., seconded by Howard Lasser. Motion carried unanimously.

William R. Davidson
First Selectman

Howard Lasser
Selectman

Steve O'Reilly
Selectman