

**BOARD OF SELECTMEN MEETING  
MINUTES  
DECEMBER 2, 2013 – 7:30 PM  
BROOKFIELD HIGH SCHOOL MEDIA CENTER**

**NEWLY ELECTED BOARD OF SELECTMEN DUTIES**

**CALL TO ORDER BY TOWN CLERK JOAN LOCKE:** Joan Locke called the meeting to order at 7:30 PM.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

**SWEARING IN OF ALL SELECTMEN BY TOWN CLERK JOAN LOCKE:** Joan Locke swore in Selectmen Marty Flynn and William Davidson. First Selectman William Tinsley was sworn in.

Mr. Tinsley addressed the audience: "It was about a month ago that the people of Brookfield chose a new leadership team. The Board of Selectmen here tonight have taken their oath to serve you. Now we begin. We are motivated by Town-wide interest, not personal or political ones. Our path forward is not about us; it's about you. It's about all of the citizens of Brookfield – every one of them, all of you. We will serve you as a team. Working alone we can do very little, but together working with you we can do a lot. Brookfield is rich in human talent and we will seek to marshal it in a productive way. We recognize the enthusiasm and the can-do spirit, the love of community that defines Brookfield, and we're passionate about the prospects ahead of us. In serving you, we will be good listeners, responsive, respectful and caring. Our leadership will be about creating economic growth. It's a must for Brookfield if we're going to take care of our community needs going forward. We cannot continue to tax, spend and borrow our way forward without harming our future economic health and community quality of life. Brookfield is a great place to live, we owe much to the many generations of community leaders who preceded us, and now it's up to us to carry on in a positive way.

**PRESENT:** First Selectman William Tinsley, Selectman Martin Flynn, Selectman William R. Davidson, Controller William Leverage, members of the public, Recording Secretary Emily Cole Prescott

**ELECTION OF CHAIRMAN PRO TEMPORE:** Mr. Tinsley nominated Mr. Flynn to serve as Chairman Pro Tempore. Mr. Davidson seconded the motion, and it carried unanimously.

**ADOPTION OF ROBERT'S RULES OF STANDARD PARLIAMENTARY PROCEDURE:** Mr. Flynn moved to adopt the Roberts Rules of Order for the Standard Parliamentary Procedures. Mr. Davidson seconded the motion, and it carried unanimously.

**DISCUSSION OF TOWN ATTORNEY:** Mr. Tinsley stated that the Town has an agreement with Cohen and Wolf, that extends through February 3, 2014. Mr. Tinsley stated that after that date, the intention is to appoint Tom Beecher as Town attorney. Mr. Flynn stated that as Chairman of the Zoning Board of Appeals, he has worked with Tom Beecher in the past, and he once represented the board to the Connecticut Supreme Court and prevailed for the Zoning Board of Appeals. Mr. Flynn stated that Attorney Tom Beecher has been very responsive, and he knows that the land use commissions have worked with him in the past.

Mr. Davidson stated that the law firm Collins Hannafin, P.C. is very well known in this Town and has represented this Town in the past. Mr. Davidson stated that he has a question of cost. Four years ago when Cohen and Wolf was selected as the Town attorney, the Town saved significant amounts of money. He urged Mr. Tinsley to review what is covered under the current contract with Cohen and Wolf, as there is a fixed monthly retainer that covers a wide range of activities. Mr. Davidson asked that the Board also receive a wide scope of activities in the monthly retainer fee, so most of the activities of the Town are covered

under a flat fee. Mr. Davidson also noted that there was no mention of the labor attorney. Mr. Tinsley stated that the plan is to maintain the current labor attorney. Mr. Davidson asked for the engagement letter with Collins Hannafin, P.C. before the Selectmen vote on this matter. Mr. Tinsley responded that this letter will be part of the next meeting packet.

**BOARD OF SELECTMEN 2014 MEETING SCHEDULE:** Mr. Tinsley stated that the Board will continue to meet on Monday nights. **Mr. Davidson moved to approve the schedule. Mr. Flynn seconded the motion, and it carried unanimously.**

#### **MONTHLY AGENDA ITEMS**

**PUBLIC COMMENT:** Mr. Tinsley asked that each speaker try to keep comment to three minutes. Mr. Tinsley asked Mr. Walker, an outgoing selectman and audience member, to monitor the time period for those who made public comment.

- Anna Lane, 14 Flax Hill Road
- Harry Shaker, 87 Long Meadow Hill Road
- John Varda, 6 Old Middle Road
- Linda Fisher, 44 Arapaho Road
- Laura Orban, 95 Stony Hill Road
- Robert A. Zinser, 49 Obtuse Road South
- Eileen Straiton, 9 Woodcreek Road
- Dr. Gary Townsend, 17 Cove Road
- Jim Killen, 17 Hollis Drive
- Laurie Villanueva, 2 Tremont Road
- Reet Lubin, Rollingwood Condos
- Ernie Nepomuceno, 18 White Tail Lane
- Sylvia Malinski, 7 Thomsen Farm Road

**ANNOUNCEMENTS:** Mr. Flynn made the following announcements:

- On Thursday, December 5<sup>th</sup> at the Brookfield Library at 7:00 PM there will be a design guideline workshop for the Four Corners Town Center.
- On Saturday, December 7<sup>th</sup> the Brookfield Senior Center will be hosting its annual holiday boutique from 10 AM to 2 PM.
- Also on Saturday, December 7<sup>th</sup> starting at 5:00 PM is the Girl Scout's Annual Tree Lighting at the Town Hall.
- On December 15<sup>th</sup> at 3:00 PM, the Chamber Singers of the Connecticut Choral Society will present the Holiday Music Concert at the Library.
- Thank you to those who have donated to the Brookfield Emergency Fund and the Brookfield Food Pantry this year.

#### **CORRESPONDENCE:**

a.) Rollingwood Condominiums 8-24 Referral approved by Planning Commission to convert current pump station to gravity system – Mr. Tinsley noted the correspondence received from the Planning Commission.

**MONTHLY FINANCIAL RESULTS:** Controller Leverage reported the financial results.

#### **NEW ITEMS**

**HRRA:** Mr. Tinsley noted that this is a request from the Housatonic Resources Recovery Authority asking that the Town sign the consent agreement relative to the change of service from Eco International to Newtech Recycling. **Mr. Flynn moved to adopt the consent agreement. Mr. Davidson seconded the motion, and it carried unanimously.**

## UPDATES

**URANIUM AND ARSENIC TEST OF PRIVATE WELLS:** Mr. Tinsley stated that there was a public hearing held on November 20<sup>th</sup> to discuss this proposed Ordinance that requires arsenic and uranium testing for private wells. As a result of the public hearing, there were a few minor changes to the proposed ordinance, which have been made by the Town Attorney. Mr. Davidson noted that he has not yet had a chance to review the changes of the ordinance made by the attorney. Mr. Davidson summarized that the Health Director has asked that new homes be tested for uranium and arsenic, but there is no requirement for corrective action as part of this proposed ordinance. **Mr. Davidson made a motion to table this item to the next meeting. Mr. Flynn seconded the motion, and it carried unanimously.**

**4 MURPHY'S LANE/MERWIN BROOK ROAD – OFFER TO PURCHASE 7.75 ACRE PARCEL FOR OPEN SPACE:** Mr. Tinsley stated that the Town received a price estimate for Robert N. Noce Associates, Inc. to appraise the Lane property. Mr. Tinsley stated that at a previous Board of Selectmen meeting it was determined that an appraisal be done of the Lane property. The Town will be moving forward with the appraisal of this property.

**CELL TOWER:** Mr. Tinsley stated that in order to move forward with approval of this long-term lease, a public hearing and after that a Town meeting need to be scheduled. Mr. Davidson stated that he has not heard much negative response from the residents, and he suggested that the public hearing be scheduled before the next regular meeting on January 6<sup>th</sup> at 7 PM. **Mr. Flynn made a motion to schedule a public hearing on January 6<sup>th</sup> at 7:00 PM. Mr. Davidson seconded the motion, and it carried unanimously.**

## CONSENT AGENDA

**BOARD OF SELECTMEN MEETING MINUTES:** 11/04/13; 11/22/13

**NEW HIRE REPORT:** No staffing changes

**DRIVEWAY BOND RELEASES (\$750):** 2 Carmen Hill Road; 165 Vale Road

**EXCAVATION BOND RELEASES:** Vale Road (\$3,500)

**PLANNING COMMISSION BOND RELEASES:** 101 Obtuse Hill Road (\$60,339)

**ZONING COMMISSION BOND RELEASES:** 10 Tree Farm Lane (\$650); 13 Mist Hill Drive (\$600)

**Mr. Flynn made a motion to approve all items, a. through f., on the consent agenda. Mr. Davidson seconded the motion, and it carried unanimously.**

## ADDITIONAL MONTHLY AGENDA ITEMS

### APPOINTMENTS:

a.) Major James Purcell Reappointment to the NW CT Public Safety Communication Center, Inc. – **Mr. Davidson made a motion to re-appoint Major James Purcell to the Northwest Connecticut Public Safety Communication Center, Inc. Mr. Flynn seconded the motion, and it carried unanimously.**

b.) Retirement Benefits Advisory Committee – BOS Representative – **Mr. Flynn recommended Mr. Tinsley to serve as the Board of Selectmen's appointed representative to the Retirement Benefits Advisory Committee. Mr. Davidson seconded the motion, and it carried unanimously.**

c.) Irv Agard – Alternate member on Planning Commission and Regular member on WPCA – **Mr. Flynn made a motion to appoint Irv Agard as an alternate member to the Planning Commission and a regular member to the WPCA. Mr. Davidson seconded the motion, and it carried unanimously.**

**PUBLIC COMMENT:** There was no further public comment at this time.

**ADJOURNMENT:** Mr. Flynn made a motion to adjourn at 8:22 PM. Mr. Davidson seconded the motion, and it carried unanimously.

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