

BOARD OF SELECTMEN MEETING
MINUTES
OCTOBER 6, 2014 – 7:30 P.M.
BROOKFIELD TOWN HALL – MEETING ROOM 133

CALL TO ORDER: First Selectman William Tinsley called the meeting to order at 7:30 PM.

PRESENT: First Selectman William Tinsley; Selectman Martin Flynn; Selectman William Davidson; Controller William Leverage; Town Attorney Tom Beecher; members of the public; Recording Secretary Emily Cole Prescott

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

MONTHLY AGENDA ITEMS

PUBLIC COMMENT: The following people addressed the Board:

- Betsy McIlvaine of 127 Long Meadow Hill Road
- Dorothy Miles on behalf of the Committee for a new library
- Eve Sturdevant of 3 Rajcula Farm Road

ANNOUNCEMENTS: Mr. Tinsley made the following announcements:

- October Brookfield Matters was published on October 1st.
- National Fire Prevention Week is scheduled from October 5th through 11th. Mr. Tinsley reminded residents to check their smoke alarms regularly; to be sure the alarms are in operating order with fresh batteries.
- The 4 Corners Block Party is scheduled on October 12th from Noon to 5:00 PM. Mr. Davidson highlighted that at 2:00 PM the Parks and Recreation Department will have a ribbon cutting for the Still River Greenway.
- Brookfield CARES and Brookfield Public Schools will be hosting an event, "Courageous Kids Dare to Discuss Drugs" next Tuesday, October 14th from 7:00 to 9:00 PM in the Brookfield High School Auditorium.
- There will be a Freedom of Information Workshop on October 20th at 7:00 PM in the Town Hall Meeting Room 133.

CORRESPONDENCE ADDRESSED TO BOS: There was none.

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

NEW ITEMS

WPCA PROPOSED SEWER LINE AT BROOKS QUARRY: Rolf Enger, Chairman of the Brookfield Housing Authority, and Nelson Malwitz, Chairman of the Water Pollution Control Authority (WPCA), were present to discuss this matter. Mr. Tinsley stated that there is a proposal from the WPCA for the Town to take over the sewer system at Brooks Quarry. Rolf Enger stated that the Brooks Quarry is affordable housing, and also housing for elderly and disabled. The current proposal would include repairing the current sewer system. The price is approximately \$334,000; the feasibility study has been done with the Brookfield WPCA. Mr. Enger explained that the current sewers have been backing up into the homes, and the problem has become progressively worse. He stated that the objective is to ask for support and approval to apply for a small cities grant for \$334,000. Mr. Enger stated that he understands an 8-24 referral would need to be forwarded to the Planning Commission for review at their meeting on October 16th. Mr. Enger stated that all paperwork relative to the grant application would need to be completed and submitted to the State by February.

Nelson Malwitz, Chairman of the WPCA, presented the feasibility study done of the Brooks Quarry. A re-design has been done to do a collection system down Brooks Quarry Road to a pump station at Laurel Hill Road, which would be designed in such a way as to reduce backups. There would be no additional customers added to the sewer line, but rather the existing customers would be serviced. Mr. Malwitz stated that the Housing Authority would work to get the bids and design work done according to the WPCA standards. Mr. Malwitz mentioned that some preliminary engineering work has been done as part of the feasibility study.

Mr. Enger stated that he has been in touch with the Department of Housing and has also been in touch with CHFA regarding work at Brooks Quarry. Mr. Enger stated that this is a serious health issue which should be addressed.

Mr. Flynn made a motion to amend the agenda to bring forward [add to the agenda] the approval of the grant application. Mr. Davidson seconded the motion, and it carried unanimously.

Mr. Davidson made a motion to authorize the Housing Authority to apply for a Small Cities Grant in the amount of \$334,000. Mr. Flynn seconded the motion, and it carried unanimously.

Mr. Flynn made a motion that the Board of Selectmen approves the WPCA 8-24 referral to the Planning Commission for a new sewer line to Brooks Quarry. Mr. Davidson seconded the motion, and it carried unanimously.

Mr. Flynn made a motion to amend the agenda to discuss agenda item 5.a.a, the appointment of Stanley Parker, to the Brookfield Housing Authority. Mr. Davidson seconded the motion, and it carried unanimously.

APPOINTMENTS: A.) Stanley Parker – Brookfield Housing Authority – Mr. Davidson moved that the Board of Selectmen appoint Mr. Parker to the position of Commissioner on the Brookfield Housing Authority, effective today. Mr. Flynn seconded the motion, and it carried unanimously. It was noted that Mr. Parker will need to be sworn in.

AMENDMENTS TO THE TOWN'S PENSION PLAN: Mr. Tinsley stated that the administration documents are to be amended; not the plan itself. There had been some differences between the employment and the pension documents. The pension plan Attorney has recommended amendment #4 to the pension plan documents. These are administrative revisions. The specific document has been drafted by the attorney for the pension plan. RBAC is also aware of the proposed revision, as is the Human Resources Director. Mr. Davidson made a motion to approve the resolution of adoption of Amendment No. 4 to the Town of Brookfield Pension Plan document as presented as an attachment to the agenda. Mr. Flynn seconded the motion, and it carried unanimously.

SPECIAL BOS MEETING AGENDA: Mr. Tinsley stated that there are multiple administrative tasks ahead of the Board, and these special meetings will be held as workshops. The first meeting will be held on Tuesday, October 7th at 4:00 PM in the Selectmen's Conference Room with the Human Resources Director, the purpose of which is to discuss volunteer fire service awards program, employee life insurance benefits, health insurance "opt-out" provisions, pension plan administration – administrative/trust document changes. The next meeting will be held on October 14th at 5:00 PM in the Selectmen's Conference Room to discuss the following: executive session (safety/security plans); PTAK house status; water projects/assessments status; STEAP grant application(s). The next meeting will be held on October 15th also in the Selectmen's Conference Room at 5:00 PM regarding the following agenda topics: informational workshop with Larry Marsicano, CLA; informational workshop with Health Director Dr. Ray Sullivan. All of these special workshop meetings are open to the public.

UPDATES

PTAK HOUSE/108 POCONO RD: Mr. Tinsley reported that the probate documents have been received and are now on file with the Town Clerk's Office. The Town also has the key to the property. Mr. Tinsley stated that the house now needs to be cleaned out. This matter will be discussed further at the special workshop meeting scheduled for October 14th, as noted above.

PARKS REVITALIZATION PROJECT: Mr. Tinsley reported that the Tennis Courts are finished, the nets are up, and the basketball courts are finished. The parking lot and the walking track are both in. Mr. Tinsley stated that it is a beautiful

addition to the Town. The bid package for the other side of the road entails the construction of a multi-purpose building, re-doing the landscaping and erosion control for the property. The plan still indicates that this will be accomplished by next season, Memorial Day.

BUSINESS INCENTIVE TAX DEFERRAL: Mr. Tinsley stated that the Board must decide whether or not to take action this evening on the application from Brookfield Village LLC. Mr. Tinsley stated that he carefully considered the language of the ordinance and the timing requirement for the Board to take action. Mr. Tinsley stated that according to the ordinance, the Board must take some action by October 13th, which is calculated by adding sixty days to the date which the application was taken up as an agenda item. Mr. Tinsley reviewed that there are three options – accepted as applied for, rejected as applied for, or to send the First Selectman back to the applicant with suggested addendum to the application. Mr. Tinsley stated that in this application, the applicant is asking for consideration above and beyond the minimum consideration in the ordinance. Mr. Tinsley stated that he had conferred with the Building Official, Assessor, Economic Development Commission, and Board of Finance, as well as with the Board of Selectmen. At the last meeting, the Board discussed the need for Selectman Flynn and Selectman Davidson to meet with the developers. Both Selectmen have met individually with the developers.

Mr. Davidson stated that he is supportive of tax abatements that are reasonable provided that the condition is that building begins in the spring.

The ordinance has a minimum table of abatement, and also places some requirements on the developer relative to timing. The abatement considerations would be withdrawn if the developer does not adhere to the required timelines of the ordinance. The Board discussed possible conditions as part of this consideration: development of the rear parcel at market rate prices, donation of land to the Town, and the timing of the development.

The project developer, Alan Rothmann of Brookfield Village LLC, was present to discuss the application. He stated that buildings one and four have state and federal monies involved; buildings two and three are privately funded and will be offered at market rate.

Mr. Tinsley reviewed the ordinance. Atty. Beecher noted that this is similar to a land use agreement, and it seems as though the Board has the authority to modify the application. Mr. Tinsley stated that he considers the application and the agreement as two separate documents.

Mr. Tinsley suggested that the Board approve the application with three additional covenants, and then take the approved application to begin the process of creating the detailed agreements and contract relative to the abatements, which would be the documents for final approval. Mr. Tinsley stated that he is looking for the Board's approval that the Board has the correct set of additional covenants on which to negotiate with the developer. **Mr. Flynn made a motion to have the First Selectman meet with the developers to gather more information as it relates to the ordinance that permits the Selectmen to do so, and to bring up the items the Selectmen have expressed as it relates to the donating of the piece of property, and how the acreage in the back will be developed and the specific covenants that have been raised as it relates to timetables and to come back with an agreement. Mr. Davidson seconded the motion.** Mr. Davidson stated that he would like this matter to be brought back to the Board of Selectmen for a review; Mr. Davidson expressed that the Town Attorney would also need to review the document brought back to the Board of Selectmen.

Atty. Beecher reviewed the definition of the date of the receipt with the Board. The agreement has not been a topic on the meeting agenda as of yet, and he noted that the timetable is not in place due to the fact that there has not been an agreement as an agenda topic.

CHARTER REVISION: This topic is on the agenda to adopt the explanatory text to be used for the ballot. Mr. Tinsley stated that the previous Charter Revision Commission members had been asked to serve as an ad-hoc advisory Committee,

Charter Revision Advisory Committee. Atty. Beecher stated that the Board authorizes the creation of the explanatory text, and the attorney reviews the text, which is then sent to the Town Clerk.

Atty. Beecher clarified that the explanatory text is not required, but the choice was to create the text. Matt Grimes, Chair of the previous Charter Revision Commission, and member of the current ad-hoc committee, Charter Revision Advisory Committee, was present to speak about this matter. Mr. Grimes stated that there are four questions on the ballot, but the Charter Revision Advisory Committee has discussed three questions, as the first question on the ballot is not from the Town. Mr. Tinsley stated that the Charter Revision Advisory Committee had worked on the text as a group, and the Town Attorney has since reviewed the document. Mr. Grimes stated that the ad-hoc committee will use this text to create some informational text and materials to be used for informational videos. Any additional materials beyond the explanatory text must be authorized by the Board of Selectmen, according to Attorney Beecher. **Mr. Flynn made a motion to authorize the preparation of the explanatory text generally as set forth in the draft as agenda item 3.d. in the agenda packet. Mr. Davidson seconded the motion, and it carried unanimously.**

JUMPSTART: Mr. Tinsley reported that one of the Jumpstart initiatives which have not yet been fulfilled is the creation of the business incubator. Mr. Davidson suggested that this item be added to one of the special BOS workshop meeting agendas, discussed earlier. Mr. Tinsley suggested that this item be added to the agenda on the 15th.

MEADOWBROOK MANOR: Mr. Tinsley stated that he does not have an update, and he does not expect to have an update between now and the end of the year regarding funding for this matter.

SOUTHERN FEDERAL ROAD WATERLINE: Mr. Tinsley asked that this item be discussed at the special meeting on October 14th.

CONSENT AGENDA

BOARD OF SELECTMEN MEETING MINUTES: 09/08/14

NEW HIRE REPORT: No changes

SELECTMEN APPROVAL FOR ROUTINE MATTERS: A.) CW Resources, Inc. Senior Nutrition Service Site Host Agreement; B.) Public Act 13-247 Section 128 Municipal Grants-in-Aid to provide grants to municipalities for fiscal years ending 6/30/14 and 6/30/15

DRIVEWAY BOND RELEASES - \$750: A.) 14 Gereg Glen Road; B.) 16 Gereg Glen Road; C.) 15 Fieldstone Road

PLANNING COMMISSION BOND RELEASE: 20 Vale Road #201200913 - \$1,320

CONSENT AGENDA MOTION: Mr. Flynn made a motion that the Board of Selectmen approves all items a-e on the consent agenda. Mr. Davidson seconded the motion. The motion carried unanimously.

ADDITIONAL MONTHLY AGENDA ITEMS

Mr. Flynn made a motion to add appointment of alternate member Pat Murphy to a regular member on the Zoning Board of Appeals, to the agenda. Mr. Davidson seconded the motion, and it carried unanimously.

APPOINTMENTS: A.) Stanley Parker – Brookfield Housing Authority – *This item was discussed earlier.*

B.) Patrick Murphy – Zoning Board of Appeals – **Mr. Flynn made a motion that Patrick Murphy be moved from an alternate to a regular member on the Zoning Board of Appeals. Mr. Davidson seconded the motion.** Mr. Davidson stated that the Board is the exclusive entity to decide who serves on Boards and Commissions in the Town, as determined by Charter. Mr. Davidson stated that any resident of this Town can go directly to the First Selectman's Office to be asked to be appointed. Mr. Davidson stated that going through a Committee is not part of the process of being appointed to a board or commission in the Town. **The motion carried unanimously.**

ANNOUNCEMENTS: Mr. Tinsley made the following, additional announcement:
Mr. Tinsley sated that live streaming and video recording of the Zoning Commission meetings will begin on October 9th.

PUBLIC COMMENT: The following people addressed the Board:

- Betsy Mvcllvaine of 127 Long Meadow Hill Road
- Ron Jaffe of 21 White Pine Drive

ADJOURN: Mr. Davidson moved at 9:20 PM, to adjourn. Mr. Flynn seconded the motion, and it carried unanimously.

DRAFT