

**MINUTES**  
**SPECIAL BOARD OF SELECTMEN MEETING**  
**TUESDAY, SEPTEMBER 8, 2015**  
**7:30 PM – ROOM 133**

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

**PRESENT:** First Selectman William Tinsley; Selectman Marty Flynn; Selectman Bill Davidson; Controller William Leverence; Recording Secretary Emily Cole Prescott

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

**MONTHLY AGENDA ITEMS**

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

**ANNOUNCEMENTS:** Mr. Tinsley made the following announcements –

- September Brookfield Matters was published on 08/30
- Candlelight Vigil to commemorate 09/11 to be held on Friday, 09/11 at 7:00 PM
- The annual Household Hazardous Waste Collection Day is scheduled on September 19<sup>th</sup> from 9:00 AM to 3:00 PM at the New Milford Railroad Station Parking Lot
- Community Day at the Parks Grand Opening & Ribbon Cutting Celebration is scheduled on Saturday, September 26<sup>th</sup>, from 2 PM to 7 PM.
- Brookfield's Fourth Annual FarmFest is Sunday, October 4<sup>th</sup> from noon to 4:00 PM at the Gurski Homestead on Route 133, Obtuse Hill Road

Mr. Davidson made comments regarding the following matters:

September Brookfield Matters –

- Class sizes: student to teacher and student to employee ratios: Mr. Davidson stated that the Board of Education has a range and target deadline relative to class size. Between Kindergarten and 4<sup>th</sup> grade, forty percent of the classes are outside the range and 50% are over target, so there is a long way to go in this Town on class size. Mr. Davidson stated that Mr. Tinsley's statistics do not address this matter.
- "A vibrant and growing local economy helps us pay for our educational needs and aspirations without the need for year after year property increases" – Mr. Davidson stated that the growth seen on the grand list occurred on projects that had happened three to ten years ago. Mr. Davidson stated that he has not seen any newly approved significant projects during the past eighteen months. Mr. Flynn replied that there have been many projects which have added to the grand list over the past years, relative to Board and Commission approvals. Mr. Davidson stated that he hopes the Town continues the grand list growth.

Town Beach Project – Mr. Davidson encouraged everyone to come out to the Celebration on the 26<sup>th</sup>; he reminded the Selectmen that the basic plan and funding for this project occurred "a while ago". Mr. Davidson stated that he is hopeful that the past Selectmen who were instrumental in the planning stages of the project (George Walker, Howard Lasser, Steve O'Reilly & himself) be specifically invited to attend and participate in the event, as has been tradition in the Town.

**CORRESPONDENCE ADDRESSED TO THE BOARD OF SELECTMEN:** Mr. Tinsley indicated that there were no records of correspondence written directly to the Board of Selectmen to report.

**MONTHLY FINANCIAL RESULTS:** Controller Leverence reported the Monthly Financial Results.

## NEW ITEMS

**2014-2015 FY YEAR END BUDGET TRANSFERS:** Mr. Tinsley indicated that the year-end transfers as proposed by Controller Leverage are in tonight's meeting packet. **Mr. Flynn made a motion that the Board of Selectmen approve the FY 2015 transfers as recommended by the Controller, and forward the recommendation to the Board of Finance for their approval. Mr. Davidson seconded the motion, and it carried unanimously.**

## UPDATES

**TOWN CODE CHAPTER 182:** Mr. Tinsley stated that at their last meeting, the Board had accepted this proposed, draft ordinance for a first reading. Mr. Flynn indicated that he would like to discuss this proposal with Dr. Sullivan. Mr. Tinsley stated that what Dr. Sullivan is looking to do is to manage a database, which would require that septic tanks be pumped every four years. The current ordinance reflects that septic tanks throughout the Town are to be pumped and inspected every four years, but there is currently no tracking system in place. **Mr. Flynn made a motion that the Selectmen schedule a public hearing for public comment and review on Monday, October 5<sup>th</sup> at 7:00 PM. Mr. Davidson seconded the motion.** Mr. Davidson suggested that perhaps this public hearing should begin at 6:30 PM, to allow for enough time for public comment. **Mr. Flynn amended his motion to indicate 6:30 PM instead of 7:00 PM. The Board unanimously approved the amended motion.**

**STILL RIVER GREENWAY:** Mr. Tinsley stated that with dry weather, there is an "outside" chance that this project could be finished before the winter months. However, it is more likely that the project would be shut down for the winter season, then completed in April and early May.

**TOWN BEACH/CADIGAN PARK:** Mr. Tinsley reported that work is quickly coming to a close at the Beach and Park. The Town will be hosting the Community Celebration on the 26<sup>th</sup>. After the 26<sup>th</sup>, the beach sand will be replaced, a footing drain installed, and an entrance fence relocated. The entrance gate had been improperly drawn. These are contractor's errors, so there is no additional cost for the sand or gate. At Cadigan Park, the power has been hooked up as of last Wednesday. The only facility not open today is the building which holds the restrooms, which should be open in five or six days. Mr. Tinsley stated that this is a beautiful park.

**TOWN CENTER PROJECTS:** *Greg Dembowski spoke regarding this matter.* Mr. Dembowski reported the status of the encroachment permit and the OSTA permit. The encroachment permit is required by the CT DOT for the Town to go out to bid to complete the streetscape project. The Town was alerted to four outstanding issues a couple of months ago, and on August 13<sup>th</sup>, Bill Tinsley, Greg Dembowski, and members of WestCOG joined the Town's engineers and the DOT's engineers for a face-to-face meeting. The DOT essentially provided variances to four outstanding issues – turning radius and geometry at the intersection, shoulder width in a couple of areas, the crossing at the Craft Center at Tuck's Road, span pole design. The current span poles met the DOT's design standard four years ago; however, they do not meet today's standards. Mr. Dembowski relayed that the cost to replace the three poles is approximately \$50,000. He also mentioned that the Town may want to continue to work with the DOT further to come to an agreement on this matter. As part of this project, the Town must either obtain right-of-ways or easements, and Atty. Fran Collins is currently obtaining appraisals for these areas.

Mr. Dembowski reported that the OSTA permit is required for Brookfield Village LLC to begin their project. The OSTA Department, a sub-department within the CT DOT, had eleven comments regarding the proposal. Three of the comments are the Town's to resolve, and the other eight are with the engineers of Brookfield Village LLC to resolve. Mr. Dembowski also noted that he and the developer have both met today with Major Purcell regarding the OSTA permit.

**MEADOWBROOK MANOR:** Mr. Tinsley stated that about two weeks ago, R. Tedesco and he visited Meadowbrook Manor with representatives of the DEEP and FEMA. In the process of the visit, Mr. Tinsley and R. Tedesco had been informed that the Town of Brookfield is back on the eligibility list for project funding.

**49 FEDERAL ROAD:** No report; no motions.

Mr. Davidson made comments regarding the following two matters:

Greg Dembowski – Mr. Davidson stated that the First Selectman has signed a contract of services with Greg Dembowski. A First Selectman needs a lot of hands to get things done, but Mr. Davidson stated that the Board of Selectmen should have approved that agreement. Mr. Tinsley replied that Mr. Dembowski is doing some 1099 services while the [Land Use] Department is down a person. Mr. Tinsley stated that it is not necessary to vote on this matter. Mr. Davidson stated that approval of the Selectmen is needed before contracts are signed. Mr. Davidson stated that he is not objecting to what is in the contract, but the Charter is clear that contracts require mutual approval by the Board of Selectmen. Mr. Tinsley stated that he had sent both Selectmen a lengthy email regarding the matter of asking Greg Dembowski to be a 1099 worker.

Still River Greenway – Mr. Davidson stated that the Town had begun work on the Still River Greenway with the contractor on the job almost \$400,000 shy of the appropriation. The contractor was on the job working before the full amount of the contract price had been approved. Mr. Davidson stated that a full appropriation was needed to begin work. Mr. Tinsley stated that there was a \$2.8 million project with an approved appropriation of \$2.4 million. Mr. Davidson stated that the Town was fortunate in this instance. Mr. Davidson stated that a contract was signed with a contractor to pay him a certain amount of money for which the Town did not have an approved appropriation. Whether the Town Attorney has been consulted regarding these matters was briefly mentioned. Mr. Davidson stated that the Charter is the Constitution of the Town.

### **CONSENT AGENDA**

**BOARD OF SELECTMEN MEETING MINUTES:** 08/03/15\* & 08/12/15 – \*Please see consent agenda motion.

#### **EMPLOYEE CHANGES:**

Hires:

- Alice Dew – Land Use Manager effective 08/10/15
- Francis Lollie – Assistant Land Use Manager effective 08/17/15
- Robert Nakano – Building Maintainer effective 08/31/15
- Kathie Delinski – PT Custodian effective 08/25/15

Separations/Resignations:

- Katherine Danjel left her position as Community Development Director on 07/31/15

#### **SELECTMEN APPROVAL FOR ROUTINE MATTERS AUTHORIZING THE FIRST SELECTMAN TO SIGN THE FOLLOWING ITEMS:**

1. Residential Lease Agreement for Residence located at 18 Junction Road
2. Contract for Services with MXI Services, Inc. for the Household Hazardous Waste Collection Day on 09/19
3. Neglected Cemetery Account Grant Program Application for State Award in the amount of \$2,000
4. Apple, Inc. Education Price Quote Agreement for I Pads for School District
5. Town and Board of Education Fuel Contracts

#### **DRIVEWAY BOND RELEASES IN THE AMOUNT OF \$750:**

1. 116 Pocono Road #2076
2. 58 Obtuse Road North #2099
3. 172 Candlewood Lake Road #2061
4. 2 Rajcula Farm Road #2085
5. 43 Ironworks Hill Road #2094
6. 6 Dairy Farm Drive #2082
7. 11 Phoebe Lane #2084
8. 10 Stage Road #2064

9. 13 Ox Drive #2081
10. 4 Toby Lane #2083
11. 23 Hidden Brook Drive #2095
12. 19 Hunting Ridge Road #2104

**INLAND WETLANDS COMMISSION BOND RELEASES:**

1. 68 South Lake Shore Drive #200800747, Wetlands Planting Bond, Release \$800
2. 28 Old Route 7 #200801175, Wetlands Planting Bond, Release \$2,205.23

**ZONING COMMISSION BOND RELEASES:**

1. 1055 Federal Road (Brookfield North) #200300066, Release \$250,960 (\$249,040 remaining)

**Mr. Flynn made a motion to approve all of the items on the consent agenda. Mr. Davidson seconded the motion, with the exception of the August 3, 2015 minutes.** Mr. Davidson stated that there are a few technical changes needed to accurately reflect the discussion of Town and personal vehicle usage under the discussion of Personnel Policies Procedures. **The motion [to approve all of the items on the consent agenda, with the exception of the August 3, 2015 minutes] carried unanimously.**

**ADDITIONAL MONTHLY AGENDA ITEMS**

**APPOINTMENTS:**

1. **ZONING BOARD OF APPEALS:** W. Lawrence Ruschmeyer – Mr. Flynn made a motion that W. Lawrence Ruschmeyer be moved from an alternate to a regular member. Mr. Davidson seconded the motion, and it carried unanimously.  
*The Board moved to the Zoning Commission appointment.*
2. **ZONING COMMISSION:** Mr. Flynn made a motion to move Mara Frankel from an alternate to regular member [on the Zoning Commission]. Mr. Davidson seconded the motion, and it carried unanimously.
3. **BROOKFIELD HOUSING AUTHORITY:** Mr. Davidson made a motion to reappoint Concetta M. Hunt to the Brookfield Housing Authority. Mr. Flynn seconded the motion, and it carried unanimously.
4. **LIBRARY BOARD OF TRUSTEES:** Mr. Davidson moved to appoint Chris Landelius from a regular to alternate member, and to appoint Ilga Parris from an alternate to a regular member. Mr. Flynn seconded the motion, and it carried unanimously.

**Mr. Flynn made a motion to amend the agenda to add the agenda topic, public comment. Mr. Davidson seconded the motion, and it carried unanimously.**

**PUBLIC COMMENT:** No public comment at this time.

**ADJOURN:** Mr. Flynn made a motion to adjourn the meeting at 8:15 PM. Mr. Davidson seconded the motion, and it carried unanimously.