

MINUTES
BROOKFIELD BOARD OF SELECTMEN REGULAR MEETING
MONDAY, DECEMBER 7TH, 2015
BROOKFIELD TOWN HALL – ROOM 133
7:30 PM

NEWLY ELECTED BOARD OF SELECTMEN DUTIES

- A. **CALL TO ORDER BY TOWN CLERK JOAN LOCKE**: Joan Locke called the meeting to order at 7:30 PM.
- B. **PLEDGE OF ALLEGIANCE**: The Pledge of Allegiance was recited.
- C. **SWEARING IN OF ALL SELECTMEN BY TOWN CLERK JOAN LOCKE**: Joan Locke swore in Selectmen Sue Slater and Marty Flynn. First Selectman Steve Dunn was sworn in.
- D. **ELECTION OF CHAIRMAN PRO TEMPORE**: Selectman Flynn made a motion that Selectman Sue Slater serve as Chairman Pro Tempore. First Selectman Dunn seconded the motion, and it carried unanimously.
- E. **ADOPTION OF ROBERT'S RULES OF STANDARD PARLIAMENTARY PROCEDURE**: Selectman Slater moved to adopt the Robert's Rules of Standard Parliamentary Procedures. Selectman Flynn seconded the motion, and it carried unanimously.
- F. **EX-OFFICIO (LIAISON) ASSIGNMENTS**: Selectman Flynn made a motion to adopt the ex-officio liaison assignments, [included] as part of the meeting packet. First Selectman Dunn seconded the motion, and it carried unanimously.
- G. **2016 BOARD OF SELECTMEN MEETING SCHEDULE**: Selectman Flynn made a motion to approve the schedule. First Selectman Dunn seconded the motion, and it carried unanimously.

PRESENT: First Selectman Steve Dunn; Selectman Sue Slater; Selectman Marty Flynn; Town Clerk Joan Locke; Town Attorney Tom Beecher; Controller William Leverage, members of the public; Recording Secretary Emily Cole Prescott

MONTHLY AGENDA ITEMS

PUBLIC COMMENT: The following people addressed the Board.

- Bill Schappert of Chickadee Lane
- Howard Lasser of 116 Tower Road
- Rich Saluga of 32 Great Heron Lane
- Betsy McIlvaine of 127 Long Meadow Hill Road & Chair of the Commission on Aging

ANNOUNCEMENTS: There were no announcements at this meeting.

CORRESPONDENCE ADDRESSED TO THE BOARD OF SELECTMEN: There was no correspondence at this meeting.

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

NEW ITEMS

TOWN CENTER DISTRICT RIGHTS OF WAY ACQUISITION FOR SIDEWALKS/BIKE PATHS: Mr. Dembowski noted that right-of-way acquisition is only regarding the streetscape project, and not the Still River Greenway. Mr. Dembowski stated that for the Town to get the encroachment permit from the DOT, acquisitions must be made to accommodate sidewalks, curbs and snow shelves. Because the project is funded by a LOTCIP grant, the Town must meet the CT DOT acquisition requirements. Mr. Dembowski stated that he has been speaking for several months with Atty. Fran Collins, and now the Town is in the stage of being able to submit the Right-of-Way Acquisition Plan, which will need to be approved by the DOT. There are nine property owners involved on eleven parcels of land, totaling 6,900 square feet. The estimation of the acquisition is already in the project cost. According to Mr. Dembowski, these expenses will be paid by the Town, and the Town will be reimbursed through the LOTCIP grant. Mr. Dembowski stated that the recommendations for the costs of the title search and appraisal work has been included in the meeting's packet. Mr. Dembowski suggested that the Board consider adding a note to the recommended motion to include the phrase "this work will be consistent with DOT requirements", as well as the cost of the title search and appraisal work. Mr. Dembowski stated that the second page of the

letter from Collins Hannafin regarding the Town Center District – Rights of Way – Acquisition for Sidewalks/Bike Paths notes the process of the negotiations and closings. He noted that the improvements are to the benefit of the property owners, and he is hopeful that the condemnation note as mentioned in the letter will not be needed. **Selectman Flynn made a motion at the recommendation of Attorney Francis Collins that the Town hire KAPS Title LLC for title searches and Terrence Duffy of O'Neill, Duffy & Co. for appraisals for the acquisitions of sidewalks/bike paths at the Town Center District; that the Town follow all of the DOT requirements that are related to the acquisition of these properties. The fee schedule of said activities which is in tonight's meeting packet is to be included [relative to this motion]. Selectman Slater seconded the motion, and it carried unanimously.**

AMENDMENT TO THE 2015 PLAN OF CONSERVATION AND DEVELOPMENT: Pursuant to CGS 8-23(g)(2), a copy of the recently amended 2015 POCD is submitted to the BOS for review and comment prior to the Planning Commission's public hearing on the adoption. First Selectman Dunn stated that the Planning Commission is making some changes to the POCD to update the document appropriately. **Selectman Flynn made a motion to accept the amendments to the 2015 Plan of Conservation and Development. Selectman Slater seconded the motion, and it carried unanimously.**

UPDATES

STILL RIVER GREENWAY: *Director of Parks & Recreation Dennis DiPinto presented an update.* There is now two miles of ten-ft. wide paved bituminous. The project is currently in phase two. December 18th will be the last day of work for the season until April 1st. Just before Thanksgiving everything that could be paved had been paved. D. DiPinto explained the bid process. The total of the project remains at \$2,803,200, eighty percent of which is reimbursable. The project is approximately seventy percent complete, and approximately forty-three percent of the contractor's fees have been paid. There will be no lights on the path. This project has been in process since 1999, but the roots of the project date back to the 1960s. The project also fits regionally. The bridge is to be in place in the Spring, as up until two weeks ago it was determined that the bridge could not be done before the winter. Maintenance required will include grass cutting, and there may be some more help needed with general maintenance, as some Parks & Recreation Department maintenance expense increases are expected.

TOWN BEACH/CADIGAN PARK: *Director of Parks & Recreation Dennis DiPinto presented a brief update.* Mr. DiPinto stated that he has spoken with the Municipal Building Committee today. Phase one, which is the Cadigan Park side, is complete. Some of the courts will still need to be re-done in the Spring. In regard to Phase Two, on the beach side, the general contractor has delivered all final paperwork. Phase three, which includes the bathroom and concession, has been closed out, as a Certificate of Occupancy for that work had been approved in October.

TOWN CENTER PROJECTS: *Greg Dembowski, Grant Contracts Project Manager, presented an update.* The demolition permit application for Brookfield Village has been filed, but is not complete, as a sign-off from the demolition contractor is needed, which contractor is scheduled to be selected within the next two weeks. The demolition work is scheduled to now start in January. Director of Health Dr. Sullivan is satisfied with the remediation plan, which has since been forward to the State Department of Health. The updated target date for construction is now April 4th. The developer's financing has not been approved, although the developer had been hoping to have it finalized before this point. If all goes well, the developer's plan is to request the Certificates of Occupancy for buildings two and three in the Fall of 2016. This project – Brookfield Village LLC – is tied into the streetscape project.

Streetscape Project – Mr. Dembowski stated that he believes the Town would want to continue to move forward with the Streetscape project, even if the development at Brookfield Village LLC does not move forward.

Mr. Dembowski noted that the Town has been verbally told that the DOT has approved the Town's encroachment permit; however, the Town has yet to receive the approval in writing. He has been told by the DOT this morning that the written approval has been sent to the District. Mr. Dembowski stated that the next step is to complete the right-of-way acquisitions, which motion to proceed has been made and approved earlier at tonight's meeting.

Sources of Funds: There is \$1.6 million with \$0.5 million pending. The LOTCIP grant has been approved for \$798,000, and the Town is working with Dave Hanon of WestCOG to ensure that the work is being done to meet the requirements to have the money released, which requires approvals from DEEP (Department of Energy and Environmental Protection) for endangered species, bike/pedestrian access, and SHPO (State Historic Preservation Office). Mr. Dembowski reviewed that \$790,000 of STEAP grant funds had been approved in 2014, and \$500,000 of STEAP grant funding is pending formal approval, of which the deadline for funding is December 31, 2015. The 2016 STEAP grant application for funding will be completed, which application would be for \$500,000 maximum, with an application deadline of January 15, 2016, of which application package should be available for the First Selectman's signature next week.

Mr. Dembowski stated that Phase I of the Streetscape work is estimated at \$3.3 million, which was based on a 2014 approximation. Mr. Dembowski stated that he has requested an updated engineering cost to make the estimate relevant to 2016, and also to include in the engineering costs the amount that will be required to redesign the crosswalk near the Craft Center and Tuck's Road. Phase II of the Streetscape project is estimated at \$1.6 million based on a 2014 approximation, for land acquisition. Currently, the Town has committed or spent \$400,000 for engineering, the FHI study, and the streetscape work for Dakota Partners. In regard to project management, Mr. Dembowski reported that there is a funding gap of \$1.2 million, which amount considers pending grants, approved and spent funding. Mr. Dembowski stated that there has been a history of approvals through STEAP funding, and he would think that the Town is in a good position to move forward.

Project Requirements: Mr. Dembowski reviewed that there is a projected \$1.2 million gap in funding for the streetscape work. Mr. Dembowski stated that either phase one could be cut into subsections, or be done in its entirety. He noted that completing the project in one phase would be more efficient from a timing and cost perspective.

Project Management: After the Town decides how to approach the funding gap, a third party peer review of the engineered plans is required by the DOT. The company that was hired to do the engineering work was URS, which was then bought by ACOMM. Mr. Dembowski stated that having a third party peer review is a very positive aspect; the review would take approximately two weeks. After the peer review is complete, the Town must follow the State Department of Economic and Community Development "Bidding, Contracting and Construction Guidelines for State Programs" requirements.

In regard to timing of the project, the work south of the intersection must be completed by the Fall of 2016 to coincide with Brookfield Village's schedule for the Certificate of Occupancy issuance for buildings two and three, which is a stipulation of Brookfield Village's OSTA approval. Phase one of the Streetscape work is scheduled to take six months' construction time to complete.

Town Ordinances: Mr. Dembowski noted that in the future, the Town will need to consider ordinances and how the maintenance of sidewalk and snow areas will be handled.

Mr. Dembowski stated that his recommendation is to make the community more aware of the proposed work in the Town Center, of the design of the Center, and the proposed visuals of the area. Such a presentation will aid the Town with their decisions on how to best move forward with the phases of the project. Mr. Dembowski stated that scope of work and funding are the two critical issues at this point. Mr. Dembowski indicated that the Town should be looking to apply for any and all sources of available funding. Mr. Dembowski asked if it would be possible to give a full presentation, perhaps at a BOS special meeting. First Selectman Dunn agreed that the presentation with visuals is a good idea, and he thanked Mr. Dembowski for his presentation.

MEADOWBROOK MANOR: First Selectman Dunn presented a brief update. The remediation on the water is in process, and the bid packages and specifications are complete. The advertisement for bid requests will be published shortly, with a bid due date of January 14th. The work will most likely begin in the Spring, but the updates will continue to be provided.

CONSENT AGENDA

BOARD OF SELECTMEN MEETING MINUTES: 11/09/15; 11/25/15

EMPLOYEE CHANGES: Faith Richmond of the Tax Assessor's Office is leaving, effective December 4th

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

1. Residential Lease Agreement – 26 Obtuse Hill Road – Gurski Homestead

DRIVEWAY BOND RELEASES IN THE AMOUNT OF \$750:

- 6 Pond Brook Court
- 33 Greenknoll Drive
- 20 Yankee Drive
- 13 Apache Drive
- 8 Meadowbrook Drive

PLANNING COMMISSION BOND RELEASES:

- 101 Obtuse Hill Road #201200961 – Whispering Glen Section II in the amount of \$35,848

ZONING COMMISSION BOND RELEASES:

- 11 Orchard Street #201300071 – Final bond release in the amount of \$500
- 200 Federal Road/Costco #201300116 – Call the bond in the amount of \$40,000

CONSENT AGENDA MOTIONS: Selectman Flynn made a motion that the Board of Selectmen accept all items on the consent agenda, with the exception of item A, meeting minutes. Selectman Slater seconded the motion, and it carried unanimously. *Please see full set of motions relative to this meeting's consent agenda.*

Selectman Flynn made a motion that the Board of Selectmen approved the meeting minutes from November 9, 2015 and from November 25, 2015. Selectman Slater seconded the motion. Motion carried, 1-0, with First Selectman Steve Dunn and Selectman Sue Slater abstaining.

Selectman Flynn mentioned a note from Administrative Assistant Ginny Giovanniello, regarding item f on the agenda.

Selectman Flynn made a motion to reconsider the motion to approve items b through f on the consent agenda. Selectman Slater seconded the motion, and it carried unanimously.

Selectman Flynn made a motion to approve [the following] items on the consent agenda: items b, c, d, and e. Selectman Slater seconded the motion, and it carried unanimously.

Selectman Flynn made a motion to table item f [on the consent agenda]. Selectman Slater seconded the motion, and it carried unanimously.

ADDITIONAL MONTHLY AGENDA ITEMS

APPOINTMENTS:

1. Northwest CT Public Safety Communications Center, Inc. – Reappointment of Major James Purcell – **Selectman Flynn made a motion to reappoint Major James Purcell as the Northwest Connecticut Public Safety Communications Center representative. Selectman Slater seconded the motion, and it carried unanimously.**
2. Retirement Benefits Advisory Committee – Appointment of Martin Flynn, BOS Representative for the Term 12/07/15-12/04/17; Jeffrey Rossi, BOF Representative for Term 12/07/15-12/04/17; William Leverence, Town Controller for term 01/04/16-01/06/20; and John Lucas, Town Treasurer for term 01/04/16-01/06/20 – **Selectman Slater made a motion to appoint the following: Marty Flynn as the BOS Representative for the term 12/07/15-12/04/17; Jeffrey Rossi as the BOF Representative for the term 12/07/15-12/04/17; William Leverence, Town Controller for the term**

01/04/16-01/06/20; John Lucas, as the Town Treasurer for the term 01/04/16-01/06/20. Selectman Flynn seconded the motion, and it carried unanimously.

3. Housatonic Resources Recovery Authority – Appointment of First Selectman Steve Dunn – Selectman Slater made a motion to appoint First Selectman Steve Dunn to the Housatonic Resources Recovery Authority. Selectman Flynn seconded the motion, and it carried unanimously.

PUBLIC COMMENT: The following resident addressed the Board:

- Ron Jaffe of 21 White Pine Drive

ADJOURNMENT: Selectman Flynn made a motion to adjourn at 8:41 PM. Selectman Slater seconded the motion, and it carried unanimously.

DRAFT