

MINUTES
BOARD OF SELECTMEN MEETING
BROOKFIELD TOWN HALL – ROOM 133
7:30 PM – MONDAY, APRIL 11, 2016

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

PRESENT: First Selectman Steve Dunn; Selectman Sue Slater; Selectman Marty Flynn; Town Attorney Tom Beecher; Financial Consultant Jay Wahlberg; IT Director Dah-Miin Yau; 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 audience members addressed the Board:

- Janet Buonaiveto of Washington, CT
- Jay Kronfeld of Roxbury, CT
- Tom Buonaiveto of Region 12
- Jane Miller, resident of Brookfield
- Howard Lasser of 116 Tower Road

ANNOUNCEMENTS: None.

CORRESPONDENCE ADDRESSED TO BOS: First Selectman Steve Dunn noted receipt of the following pieces of correspondence:

- Letter from Randall Carreira, New Preston resident
- Letter from Thomas Dunkerton, Republican Registrar of Voters

MONTHLY FINANCIAL RESULTS: Consultant Jay Wahlberg reported the monthly financial results.

Selectman Flynn made a motion to move item 3.c. to the next agenda item, Brookfield Village, discussion with the Brookfield Village developers. Selectman Slater seconded the motion, and it carried unanimously.

BROOKFIELD VILLAGE: Paul Guillaro and Allan Rothmann were present to represent Brookfield Village LLC. A.

Rothmann stated that they are present at tonight's meeting to ask about revising the terms of the previously approved tax deferral agreement. A. Rothmann stated that CHFA has required buildings one and four to be completed in a timely fashion, as the plan is that both of these buildings will receive CHFA financing. The timing is to close around July. Buildings two and three are not CHFA-funded. Mr. Dunn asked for CHFA's written documentation noting that buildings one and four would need to be built first. P. Guillaro clarified that buildings one and four would need to be built first due to the timing requirements of the CHFA financing.

Mr. Rothmann stated that the current agreement indicates a start date of May 1, 2015, but the project has not yet been issued all necessary permits. The project has been issued an OSTA permit, but has not yet received full DOT approval. Mr. Flynn asked for a start date, and Mr. Rothmann stated that the financing is scheduled in July, and the project would be complete by September 2017. A. Rothmann stated that he is looking for a modification to the agreement that would allow the project to start at any time but has to be started within three months of the start of the streetscape project. Mr. Dunn stated that the Town wants to coordinate with all of the developers to do the work in an orderly fashion while still maintaining the quality and the feel of the downtown Brookfield residents desire. Mr. Dunn stated that the Town is pursuing underground electric, which may somewhat delay the building of the road, but this should not stop the building of the sidewalks and

associated sidewalk amenities. Upon inquiry from A. Rothmann, Mr. Dunn clarified that he does not know when the sidewalk work will be done. It was clarified that the DOT requires the streetscape work to be done before a Certificate of Occupancy may be issued for the Brookfield Village project. P. Guillaro asked for assurance that the streetscape work will be done. Mr. Dunn stated that the Town will be working as quickly as it can in coordination with the developers and the DOT. Mr. Rothmann noted that Eversource requires electrical to be taken from both Station Road and Federal Road, to create a loop in case there is an outage. P. Guillaro stated that the dates in the agreement need to be updated.

Mr. Rothmann stated that CHFA has asked for buildings one and four to be independent, indicating the tax incentive would be for buildings one and four, and not connected to the other parts of this project. Mr. Rothmann asked for a letter from the Tax Assessor for buildings one and four, indicating what the tax amounts would be. Mr. Dunn agreed to send a letter noting the tax information to Mr. Rothmann. P. Guillaro stated that buildings one and four would need to be separated within the agreement. Mr. Flynn noted that the entire project needs to be built in order for the developers to receive the tax abatement. Mr. Flynn stated that if the revisions requested at tonight's meeting do not change the overall idea of the original agreement, he would be in favor of revisions per Town Attorney Beecher's review.

Attorney Tom Beecher stated that more information is needed for the Board to consider before moving forward. Mr. Dunn suggested that a meeting is scheduled at some point in the next two weeks to discuss these details.

NEW ITEMS

POLICE DEPARTMENT OUTSIDE SERVICES FUND: Selectman Slater made a motion that the Selectmen approve and forward to the Board of Finance the Police Department's request of an appropriation of approximately \$34,000 from the Police Department Outside Services Fund for the purpose of purchasing a replacement Criminal Booking Livescan Workstation and a new CS500eNB – Livescan Ten-Print System for Applicant Printing. Selectman Flynn seconded the motion. Selectman Flynn asked for clarification on the source of the Police Outside Services funds, and First Selectman Dunn clarified the purpose of the account, which is to collect the fees paid by outside vendors for private duty work done by Brookfield policemen. The fees are used to pay the policemen for their time, and additional funds may be used by the Police Department for capital expense costs, as approved by the Board of Selectmen and Board of Finance. Selectman Flynn asked that someone from the Police Department attend a meeting to speak about such requests. **The motion carried unanimously.**

BID AWARD RECOMMENDATION FOR PAVEMENT PROGRAM: Selectman Flynn moved that the Selectmen approve the recommendation to award the contract to S&S Paving in the amount of \$120,910 for the Town Pavement Program. Selectman Slater seconded the motion. It was noted that S&S Paving was the lowest qualified bidder. **The motion carried unanimously.**

SIDEWALK SNOW REMOVAL AND BENEFIT ASSESSMENT ORDINANCE: Selectman Slater made a motion that the Selectmen schedule a public hearing on Monday, May 2nd at 7:00 PM in Meeting Room 133 for review and comment on the proposed Sidewalk Snow Removal and Benefit Assessment Ordinance. Selectman Flynn seconded the motion. Upon inquiry from Selectman Flynn about the draft ordinance, Atty. Beecher replied that the ordinance is based on his research into other surrounding towns' ordinances, as well as statutory requirements. Atty. Beecher stated that the ordinance speaks to snow removal requirements and enforcement of those requirements, as well as the ability of the Selectmen to establish a benefit assessment to be opposed upon abutting property owners for certain improvements in the Town Center District. **The motion carried unanimously.**

REGIONAL SCHOOL DISTRICT TWELVE: Selectman Flynn made a motion that the Selectmen approve the First Selectman to sign the agreement to send Brookfield students who are interested in attending the Shepaug Valley Regional Agriscience STEM Academy beginning in the Fall of 2018. Selectman Slater seconded the motion.

Selectman Slater suggested that the Board review this matter to gather more details before voting. *There was no vote on the motion, as the following motion was then made.*

Selectman Slater made a motion to table the discussion on the Regional School District Twelve. Selectman Flynn seconded the motion, and it carried unanimously.

FY 2016-17 OPERATING BUDGET REFERENDUM DATE: Selectman Slater made a motion that the Selectmen recommend in the call of the annual town meeting, the date of Tuesday, May 17th for the [16-17 FY] Operating Budget Referendum. Selectman Flynn seconded the motion, and it carried unanimously.

FY 2016-17 CAPITAL BUDGET REFERENDUM DATE: Selectman Flynn made a motion to recommend in the call of the annual town meeting the date of Tuesday, June 21st for the FY 2016-17 Capital Budget Referendum. Selectman Slater seconded the motion, and it carried unanimously.

POSTCARD NOTIFICATION TO VOTERS: Selectman Slater made a motion that the Selectmen approve the mailing of a postcard notification to residents as a reminder to vote on the Budget Referendum on May 17th. Selectman Flynn seconded the motion, and it carried unanimously.

AD-HOC CHARTER REVISION COMMITTEE: Mr. Flynn stated that the Town has had two Charter revisions in the last four years. Atty. Beecher noted that there is no current requirement for Brookfield to revise the Charter since it had just been done in 2014. Mr. Dunn stated that the Board is allowed to ask the Revision Committee to review specific items. Selectman Slater mentioned the petition of signatures received last year for the School budget. Atty. Beecher clarified that the residents were petitioning for something that is not allowable by Town meeting. There needs to be some clarification on what the role of the petition of the town meeting is. The Town needs to have some clarification that only certain items can be petitioned to a town meeting.

Mr. Lasser of 116 Tower Road, asked to speak, and spoke regarding this matter. Mr. Lasser stated that in 2012, there had been a recommendation from the Board of Selectmen to the Charter Revision Committee to allow the Town, through petition, to take something that was recommended by the Board of Selectmen to the Board of Finance, but declined by the Board of Finance, to take the item to a town meeting through petition.

Mr. Dunn also noted the need to have two different votes due to the 45-day window for capital projects over \$1 million, and if a Charter Revision Committee were to be formed, he would recommend the Committee review having an exception to allow for a capital referendum to be done in conjunction with the annual budget referendum.

Atty. Beecher indicated that the Board of Selectmen has the option, after receipt of the Charter Revision Committee's final report, to decide which changes are eventually sent to the voters.

Selectman Slater and First Selectman Dunn agreed to vote in favor to set up an [Ad-Hoc] Charter Revision Committee, with Selectman Flynn voting in opposition. The motion carried, 2-1.

TOWN HALL ROOF: First Selectman Dunn briefly explained that the current Town Hall roof options include either re-roofing, or constructing a structural roof. The Municipal Building Committee would like to pursue a structural roof, and the Department of Public Works has indicated that the regular roofing would be appropriate. There is a significant price difference between the structural roof and the regular roof. Selectman Flynn asked for further details about the cost-benefit analysis of solar panel installation. The cost to complete the engineering study to determine the best method to move forward is estimated at \$3,200, which price is included in the project cost. After the engineering study is complete, the Board

of Selectmen will ask members of the Municipal Building Committee and the Director of Public Works to attend a meeting to discuss this matter.

UPDATES

STREETSCAPE IMPROVEMENT PROJECT: Mr. Dunn stated that the Town has entered into an agreement with Eversource to complete the plan for the underground electric. Mr. Dunn stated that per this agreement, borings will be done in the center of the road to determine the feasibility of installing electric underground. Mr. Dunn noted the cost of underground electric work currently underway in Madison, CT. The Town will be discussing the matter with Eversource to determine what legal requirements the Town is to follow. Mr. Flynn reviewed some of the expenses associated with the utilities, and noted his concern about both loss of time and potential loss of money. Mr. Dunn replied that on average, property values immediately increase by 2.5% when underground utilities are installed, according to a study done in Maryland. Mr. Flynn also expressed concerns about losing the Brookfield Village project, due to delays in construction. Mr. Dunn noted the aesthetic aspect of underground utilities.

BONDING/GENERAL FUND ISSUE: Selectman Slater made a motion that the Selectmen approve and forward to the Board of Finance a request to hire a Consultant from BlumShapiro to research and investigate the \$3.3 million potential difference in the General Fund. Selectman Flynn seconded the motion. More information is to be gathered and another meeting is to be held before a decision is made on this matter. **First Selectman Dunn made a motion to table this motion [directly above]. Selectman Flynn seconded the motion, and it carried unanimously.**

BROOKFIELD VILLAGE: *This matter had been discussed previously in the meeting.*

HIGH SCHOOL CONSTRUCTION AUDIT: Mr. Dunn stated that Greg Dembowski, current Grants Projects Manager for the Town Center District, has been hired to complete a review of the amount spent on this project. Mr. Dembowski believes he has found approximately \$351,000 worth of documentation. The Town still has to work with the State to make sure the documentation is acceptable. Mr. Dunn stated that the Town has been given an extension. The Board will need to decide at what point there will be diminishing return for this work.

CONSENT AGENDA

BOARD OF SELECTMEN MEETING MINUTES: 03/07/16; 03/21/16

STAFFING CHANGES FOR THE MONTH OF MARCH:

- Bethany Barr – Police Officer
- Benjamin Gerstenmaier – Police Officer
- Donna Korb as Recording Secretary – Board of Assessment Appeals

ZONING COMMISSION BOND RELEASE – 4 Morton Road #201201020, Final Bond Release of \$1,255

CONSENT AGENDA MOTION: Selectman Flynn made a motion to approve all items on the consent agenda.

Selectman Flynn withdrew his motion.

Selectman Flynn made a motion to approve items A and C on the consent agenda. Selectman Slater seconded the motion, and it carried unanimously.

APPOINTMENTS:

- Kimberly Siegrest – Selectman Flynn made a motion to appoint Kimberly Siegrest as Town Controller, with a date of hire starting on April 13th. Selectman Slater seconded the motion. The motion carried unanimously.
- Major James Purcell – Selectman Slater made a motion to appoint Major James Purcell as the Deputy Emergency Management Director. Selectman Flynn seconded the motion, and it carried unanimously.
- Howard Lasser – Selectman Flynn made a motion to appoint Howard Lasser to the Brookfield Housing Authority. Selectman Slater seconded the motion, and it carried unanimously.

- Cassie Dunn – *First Selectman Dunn recused himself from discussion and vote on this matter.* **Selectman Slater made a motion to appoint Cassie Dunn as an alternate member on the Parks and Recreation Commission. Selectman Flynn seconded the motion. The motion carried, with Selectmen Slater and Flynn voting in favor of the motion, and First Selectman Dunn recusing himself from the vote.**
- John Mangold – **Selectman Flynn made a motion to appoint John Mangold as a regular member on the Parks and Recreation Commission. Selectman Slater seconded the motion. Selectman Flynn withdrew his motion, and instead Selectman Flynn made a motion to appoint John Mangold as an alternate member on the Parks and Recreation Commission. Selectman Slater seconded the motion, and it carried unanimously.**
- Ad-Hoc Committee Members to Study Leasing of Four Corners Property for Library – **Selectman Slater made a motion to appoint [the following] to the Ad-Hoc Committee to study leasing of Four Corners Property for the Library:**
 - **Christina Cumberton**
 - **Jeff Cordisco**
 - **Pete Peterson**
 - **Irv Agard**
 - **Greg Steiner**
 - **Sean Hathorn****Selectman Flynn seconded the motion, and it carried unanimously.**
- Scott McCarthy – **Selectman Flynn made a motion to appoint Scott McCarthy as Elector Representative on the Retirement Benefits Advisory Committee. Selectman Slater seconded the motion, and it carried unanimously.**
- Kimberly Siegrest, Town Controller – date of hire: 04/13/16 – *This appointment had been made first in this section of the agenda.*

ADJOURNMENT: AT 8:54 PM, Selectman Flynn made a motion to adjourn the meeting. Selectman Slater seconded the motion, and it carried unanimously.