

MINUTES
BOARD OF SELECTMEN MEETING
MONDAY, OCTOBER 5, 2015
7:30 PM – ROOM 133

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESENT: First Selectman William Tinsley; Selectman Marty Flynn; Selectman William Davidson; Controller William Leverence; Recording Secretary Virginia Giovanniello.

MONTHLY AGENDA ITEMS

PUBLIC COMMENT:

- Ron Jaffe, 21 White Pine Drive
- Bill Davidson, Selectman, 19 Cove Road (letter attached).

ANNOUNCEMENTS: Mr. Tinsley made the following announcements:

- Brookfield Matters was published on October 1st.
- Town of Brookfield Electronic Waste Drop-off day and combined Shred-it Event will be held on October 17th from 9 a.m. – 1 p.m. at the Public Works Complex located at 81 Gray's Bridge Road. This first time event is sponsored by the Housatonic Resources Recovery Authority (HRRRA). Please see the list of items to drop off on the Town's website www.brookfieldct.gov.
- A nice weekend on September 26th for the Town's Community Day on the Parks Grand Opening & Ribbon Cutting with 500 plus people joining in the celebration.

CORRESPONDENCE ADDRESSED TO BOS:

- Dr. Raymond Sullivan's Annual Report for FY ending 6/30/15 to Commissioner of Public Health.

MONTHLY FINANCIAL RESULTS: Controller Leverence reported the monthly financial results along with a status of all the capital projects. Mr. Tinsley explained the Board of Education's year end reporting while Mr. Leverence presented a slide with the Board of Education updated projections for 2014/15.

NEW ITEMS

Mr. Tinsley noted that they would move to the BlumShapiro Consulting topic first under new items.

BLUM SHAPIRO CONSULTING: Mr. Tinsley introduced Mr. Al Cameron, Director of Business & Operations for the Board of Education to present the Statement of Work with BlumShapiro. Mr. Cameron explained that the recommendation presented to both the Board of Education and the Board of Selectmen and how they got to this point with having a proposal on the table with BlumShapiro due to the Forensic Audit's account of lack of definition for policies and procedures, lack of oversight and insufficient segregation of duties. He stated that Mr. Leverence noted similar issues identified on the town side audit as well. Mr. Cameron reviewed the RFP process that he and Mr. Leverence worked on to come to the proposed agreement from BlumShapiro Consulting entitled "Statement of Work to perform a Financial Operations Controls Assessment and Develop an Implementation Plan for the Migration to the MUNIS Financial System and the Uniform Chart of Account." BlumShapiro's Statement of Work is a three-phased approach to assist in improving Brookfield's Town and School District's internal financial

operations. Mr. Cameron stated that he will make a full recommendation to the Board of Education to act on the proposed agreement and Statement of Work on Wednesday evening. Mr. Tinsley stated that when presented to the Board of Education, he hoped there is clarity between two data bases versus one. Mr. Flynn stated this proposal was long overdue and Mr. Davidson noted that this proposal has been thought out and had been somewhat contentious in the past, and he believes they were going in the right direction. Mr. Leverage stated that he was confident in the direction they are headed and the town and school will get through this due to an excellent working relationship due to having the same goals. At conclusion of discussion, **Mr. Flynn made motion that the Selectmen approve the proposed SOW (statement of work) and authorize the First Selectman to sign the Agreement. Motion seconded by Mr. Davidson, and carried unanimously.**

U.S. BICYCLE ROUTE 7: Mr. Tinsley reported that a proposal from Selectman Davidson and letter from the State DOT was received asking the Board of Selectmen to endorse a bicycle route to pass through town. The State of CT Department of Transportation would like to participate in the development of the United States Bicycle Route System, a system of an interstate bicycle route that has more than 8,000 miles of routes designated around the country, and create the Western New England Greenway. The proposed route from Canada parallels Route 7 and makes use of lightly traveled roads and bike paths to avoid the use of Route 7 and other more heavily traveled roads. There is no cost to the town. At conclusion of discussion, **Mr. Flynn made motion that the Board of Selectmen has reviewed and endorses the routing and designation of a proposed U.S. Bike Route through the Town of Brookfield and the CTDOT seeking official designation for the U.S. Bike Route by AASHTO, contingent upon the Town of Brookfield Traffic Authority approval. Motion seconded by Mr. Davidson, and carried unanimously.**

TOWN CODE CHAPTER 182: The BOS Public Hearing was held prior to the BOS Meeting. **Mr. Flynn made motion that the Selectmen approve the proposed modifications to Town Code 182 Sewage Disposal Systems Ordinance. Motion seconded by Mr. Davidson.** Discussion followed. Mr. Davidson noted that it was a solid ordinance and moving to a computerized data base of all septic systems in town was positive as we don't have a practical way to do that now. He also pointed out that this ordinance with the provisions would not give the town any inspection capabilities and to recognize that the physical inspection of premises is an important part of community health. Mr. Flynn thanked Dr. Sullivan and thought it was important to protect Candlewood Lake but was in favor of passing this ordinance tonight to allow the town to start getting a system in place. Mr. Tinsley suggested voting on the ordinance tonight, and have Dr. Sullivan and himself immediately look at a way of modifying the ordinance that will be passed to reflect the properties in the Candlewood Lake Watershed; find a way to use the data out of the present system to provide a priority inspection system for those that have not met the four year criteria on Candlewood Lake and Lake Lillinonah; and Mr. Davidson suggested finding a small amount of money to hire a part-time person to start to build more data from the records we have in place already. Dr. Sullivan also suggested that one or more of the individuals involved with the electronic monitoring give the Selectmen some concrete insight of what his/her expectations might be of the new system itself. **At conclusion of discussion, the Motion passed.**

STILL RIVER GREENWAY: Mr. Tinsley reported that he walked the trail from the terminus area at 777 Federal Road to Pocono Road next to the police station. There is a chance that the bridge will be in by December 1st, and the pilings going through the wet portions are already in place with a firm gravel base on much of the trail with an estimated May 2016 opening.

TOWN BEACH/CADIGAN: Mr. Tinsley reported that the sand on the beach and volley ball court will be replaced. He noted that parking at Cadigan is a problem on the weekend, and he will encourage the paving and lining of the unpaved section at Cadigan Park with remaining funds.

TOWN CENTER PROJETS: Mr. Tinsley reported the State Department of Transportation is seeking two permits, one was for the town to work in the state highway right of way which was granted, and also for one of the property owners and their engineers for the traffic authority will meet in Hartford for another try. There is a good chance see some building demolition prior to the start of winter.

MEADOWBROOK MANOR: Mr. Tinsley reported that it was great news getting the grant from FEMA and he has received the grant contract. The project will begin next spring start and though the neighborhood area will be messy, it will be good to have the problem solved.

49 FEDERAL ROAD: Mr. Tinsley stated that a counteroffer was received by the person who leases the property adjacent to 49 Federal Road. The Selectmen will have a chance to review over the next few days.

CONSENT AGENDA

BOARD OF SELECTION MEETING MINUTES: August 3, 2015; September 8, 2015; September 25, 2015.

EMPLOYEE CHANGES:

Hires:

- Greg Dembowski - Retro to 7/8/15 as Temporary PT Grant Contract Project Manager.
- Kristen DeSiena - PT Library Checkout Desk Assistant 10/4/15.

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

1. Brookfield Health Department Application for SFY 2016 Lead Poisoning Prevention Financial Assistance in the amount of \$2,866.00.
2. AIA Document G704 – 2000 Certificate of Substantial Completion for the Revitalization Project- Phase II to Hawley Construction Corp., Jim Martinelli Contracting, and The LandTek Group, Inc.
3. FEMA-Hazard Mitigation Grant Program Application for Meadowbrook Manor Flood Control Project.

DRIVEWAY BOND RELEASES IN THE AMOUNT OF \$750:

1. 37 Obtuse Road South #2098
2. 106 Long Meadow Hill Road #2102
3. 101 Long Meadow Hill Road #2111
4. 11 Maple Lane #2103
5. 25 Hop Brook Road #2106

ADDITIONAL MONTHLY AGENDA ITEMS

PUBLIC COMMENT: No public comment at this time.

ADJOURN: Mr. Flynn made motion to adjourn the meeting at 8:19 p.m., seconded by Mr. Davidson. Motion carried unanimously.

October 5, 2015 Public Comment Bill Davidson 19 Cove Road

I will be speaking during the next few minutes about the pension I received from the Town of Brookfield.

In the fall of 2013 I decided that I did not want to run for re-election as Brookfield's First Selectman and I agreed to seek office as a Selectman.

As the end of my term approached, Vince Carbone, who was interim Human Resource Director for the Town, advised me that I was eligible to receive a pension when I ceased being the First Selectman. My eligibility date was January 1, 2014. Pension payments began and were sent by direct deposit to my designed bank account. The gross monthly pension payment was \$459.59 (about \$5,500 annually).

In May of 2015 I was informed by the Town's current Human Resource Director that I was not eligible at this time to receive a pension. The reason was that as a selectman I was receiving a small salary of about \$4,000 per year (usually referred to as a stipend) in accordance with the Town's charter. The Town's pension plan prohibits a person employed by the Town from receiving a pension benefit, even if that employment is minor in hours and dollars.

So, as a Selectman I was ineligible to be an active member of the pension plan because I was no longer a full-time employee, but I was also ineligible to be receiving pension benefits. When I fully retire from being a Selectman (which will occur on December 7th of this year), I will be eligible to receive a pension.

Yes, this is confusing. Vince Carbone, the HR Director, didn't realize that I was ineligible to start a pension beginning in January, 2014 because I was receiving a small stipend/salary from the Town and it certainly didn't occur to me either. First Selectman do not – as a general matter – get involved with employee pension matters.

When the Town's HR Department advised me of the error in May 2015, I wrote a check in the amount of \$8,582.22 to the Pension Plan to repay the plan for the 18 monthly payments I had received plus interest as calculated by the pension plan representative.

It is unfortunately that this matter occurred. It was an innocent mistake by the HR Director and, as I mentioned above, it never occurred to me that the Selectman's stipend would make me

ineligible to receive a pension payment until I ceased being a Selectman. At the end of the day, there was no harm. The pension plan has been fully repaid.

So, why am I bringing this to the attention of the citizens of Brookfield? Last month I was surprised to be contacted by a resident who had detailed information from my personnel file regarding this matter. There is no way that this resident could be aware of the mistaken pension payments and my repayment to the pension fund unless the individual were told about this event. It is clear to me that there has been a breach of confidentiality of my personal file. There are only two people in Town Hall who would have access to my personnel records. One individual is Fern Smenyak, the HR Director. The other individual is Bill Tinsley, the First Selectman. One of these two individuals has committed a serious breach of employer-employee confidentiality. I am looking forward to each of them giving me a written explanation of how a resident could possibly know about this matter.