

**BOARD OF SELECTMEN MEETING
MINUTES
AUGUST 6, 2012 – 7:30 P.M.
BROOKFIELD HIGH SCHOOL MEDIA CENTER**

CALL TO ORDER: First Selectman William R. Davidson called the meeting to order at 7:30 p.m.

PRESENT: William R. Davidson, First Selectman; Howard Lasser, Selectman; George Walker, Selectman; members of the public and press; Virginia Giovanniello, Recording Secretary.

PUBLIC COMMENT: There was no public comment.

ANNOUNCEMENTS: First Selectman Davidson announced that the Police Arbitration dates will be scheduled in December.

CORRESPONDENCE: The following correspondence was received:

- E-mail dated 7/27 from Bob Ziembicki regarding the Zoning Commission.
- Letter dated 7/31 from the Zoning Commission recommending an alternate member be moved to regular member status.
- Letter dated 7/26 from the State Department of Economic and Community Development regarding the proposed parking at the Gurski Farmhouse and Barn.

PARKING APPEAL: The Selectmen discussed that there were adequate markings that should signify to a driver that no parking is allowed in that area, but there were no signs stating no parking. The town's ordinance indicates "Signs and Markings" and Mr. Lasser questioned whether the ordinance needs to indicate that both are needed. At conclusion of discussion, **George Walker made motion to dismiss the parking ticket as appealed by Thomas Mascola due to lack of signs, seconded by Howard Lasser. Motion carried unanimously.**

MONTHLY FINANCIAL RESULTS: Town Controller Bill Leverence updated the Selectmen on the expenses for the month of July.

NEW ITEMS

TOWN OWNED COTTAGE AND BARN ADJACENT TO BROOKFIELD LIBRARY: First Selectman Davidson stated that some years ago the library used its funds to purchase the small cottage located adjacent to the library's northern entrance driveway and a barn located on a hill to the north of the playhouse to use the space for parking if the Library expanded. The Town is the legal owner of the cottage and the barn, which together are considered one property. The structures are located within the Historic District and subject to the district's rules and regulations. Mr. Davidson stated that due to the condition of the cottage, it would need major repairs. The Town could sell the cottage and barn, or go through the arduous process to tear down the cottage due to being in the Historic District. Even if repaired, the town does not have any good use for the two buildings. Library Board Director Betsy McIlvaine stated that the Library put the cottage up for sale in 2008 and no one was interested in the property. Mr. Davidson did inquire with Parks & Recreation and Public Works if they could use the barn for storage of equipment, and they felt the floor could not hold up with heavy equipment. At conclusion of discussion, the Selectmen had no objection if the town found a buyer for the property.

UPDATES

RETIREMENT BENEFITS ADVISORY COMMITTEE (RBAC): Chairman Michael Matson gave a power point presentation of the RBAC's recommendation to the Board of Selectmen regarding funding pension obligations. Committee Members are Chairman Michael Matson, Irv Agard, Bob Belden, Art Colley, Joy Devorsetz, Howard

Lasser, Bill Leverage and David Scribner. In the presentation, Mr. Matson stated that there are some key challenges that the RBAC would like the Board of Selectmen, Board of Finance and Board of Education to address. In early 2011, the three Boards adopted a resolution for a steady increase in annual employer contributions to the pension fund as needed over time, with the goal of maintaining a full funding ratio as recommended by the Town's actuary. In recent discussions with the Town's bond/financial advisor, the RBAC learned that rating agencies are taking a stronger stance on the funding of pensions, and felt the Town needed a more specific strategy to fund its ARC requirements, but also achieve 100% of the ARC at the soonest possible time. The RBAC is recommending that the Town commit to 100% funding of the Actuarial Required Contribution (ARC) by stating "This can be achieved in calendar year 2012 by use of anticipated surplus in Fund Balance added to the current budget amount. Maintaining the 100% level of funding can be achieved going forward by a combination of consistent annual increases to the budgeted contributions and continued use of fund balance for 2013 and 2014. We further recommend that the budget fully fund the ARC by 2015." The underfunding to the ARC, if allowed to continue, will be more difficult to remedy in the future. At conclusion of discussion, the Selectmen concurred that with the Selectmen up to speed on this issue, funds for the initial transfer would require approval at the next Board of Selectmen meeting and forwarded to the Board of Finance for approval, and a Special Town Meeting could be scheduled in time for the town's first contribution.

PARKS REVITALIZATION PROJECT AND STILL RIVER PROJECT: First Selectman Davidson and Mr. Dennis DiPinto, Parks & Recreation Director, gave an update on the Parks Revitalization which includes the renovation of Town Beach and Cadigan Park, and the second part which is not revitalization is the Still River Greenway. Mr. Davidson provided background information on the revitalization project and noted that Kids Kingdom was included in the first revitalization in the early spring of 2010. Now that Kids Kingdom is complete, he discussed the timeline of summer and early fall and will continue to update on the details of the proposed project. There will be firm financing proposal assuming it gets support from BOS and BOF in early winter and a referendum next year to find out if the public wants to support these projects. The cost of the Cadigan and Town Beach project will be determined by a professional estimator. Mr. DiPinto reviewed the details of the Town Beach, some of the highlights and what the projects entail. The Town Beach building and scope have been reduced about twenty-five percent. Mr. DiPinto noted that the inexpensive block buildings put up in the 1970's served the town well and would cost more than the building is worth to renovate. The cost of repairing the seawall erosion and drainage issues are within the \$750,000 grant. Mr. DiPinto also discussed the Still River Greenway Project that is really a DOT project from transportation enhancement monies. The first phase of 800 feet was completed very fast. The southern part is now walkable with wood chipping and widening of the path. This has been an ongoing project for the better part of seven years and the State is in the final stage of design. A firm idea of what the costs are for the entire project that is 80% State & Federally funded and 20% town-funded are in the range of \$2.2 to \$2.6 Million. \$1.8M in funding has already been set aside for this project. Mr. DiPinto stated that the Town will know more on the costs when DOT finishes its environmental studies, noting that this is a very demanding project with a lot of State and Federal hurdles to get over. The Town has applied for another STEAP grant in the amount of \$500,000 to contribute towards this project and it could be used towards the Town's 20% match. This project will also be a tremendous boost for the Four Corners. Mr. DiPinto stated that the impact area for the 14 foot wide trail is around one acre in wetlands is vital to how the Corp of Army Engineers responds. The Selectmen are totally in support of the project but would like some definitive information on costs. Mr. Lasser noted that the Town Beach and Cadigan estimated cost might be a real challenge, and what might be the alternatives to get it to \$5 Million. Mr. Walker noted as the Town moves forward with the project, they will receive a lot of feedback from residents. The Selectmen also noted that they should try to make some opportunities with additional public forms if not public hearings so residents have the opportunity to voice their opinion.

HIGH SCHOOL RENOVATION REVIEW COMMITTEE (HSRRC): Selectman George Walker and Mr. Ron Jaffe, Co-Chairmen of the HSRRC presented a power point presentation and a twelve-page final report to the Selectmen. The committee was appointed on January 3, 2012. Mr. Walker stated they have met every two weeks since late January to put together the final report and summary. The committee interviewed many former participants involved in the high school renovation project and ended up with fourteen participants who assisted in

taking the committee through the project step by step. The focus of the HSRRC was to research process and decision points of the Brookfield High School renovation project. The committee was not looking to place blame, but to understand how and why issues developed and to recommend to the Town potential ways to improve large-scale construction projects moving forward. The committee members were George Walker, Ron Jaffe, Rob Gianazza, Paul Checco and Kerry Swift who had various levels of involvement during the project. They identified four phases of the project: Pre-Bond, Pre-Construction, Construction and Post-Construction. The Pre-Construction phase was studied in three sections: Programming, Design and Bid. For each phase, the committee reported on what was learned and made recommendations. The HSRRC also presented process recommendations for future large-scale projects. It was also noted that the Board of Selectmen, Board of Finance and Board of Education members be provided the Municipal Building Committee Ordinance at the beginning of any large-scale project. The Selectmen stated they would use the process portion of the committee report and adopt into a check list to use for projects going forward.

MEADOWBROOK MANOR/HILLSIDE CIRCLE: First Selectman Davidson noted that the DEEP is reviewing a new application for flood relief storm sewers at Meadowbrook Manor/Hillside Court System. CCA has submitted a proposal to the Town to provide engineering services. Mr. Davidson discussed the potential solutions to the one hundred year storm solution. A very rough estimate is \$2 Million for a 60 inch drainage pipe through the entire project. Another option is to properly mitigate against all storms could be approximately \$200,000 for a 24 inch pipe. The town would need DEEP approval for any solution. Mr. Lasser asked for a time frame in CCA's proposal. Mr. Lasser stated that if the town eventually bonds the project that all costs are included in the bond in order to recoup the engineering cost at that time. At conclusion of update and discussion, **Howard Lasser made motion that the Selectmen send a request to the Board of Finance for an appropriation from fund balance not to exceed \$35,000 for engineering services for the preparation of a Water Diversion Permit from the State of CT DEEP for a Flood Relief Storm Sewer System for Meadowbrook Manor and Hillside Circle, seconded by George Walker. Motion carried unanimously.**

DEL MAR DRIVE SEWER EXTENSION: First Selectman Davidson reported that a Special Town Meeting was held at 6:30 p.m. approving a \$750,000 appropriation for the WPCA to extend the Del Mar Drive Sewer line.

TOWN ORDINANCE: A Public Hearing was held at 7:00 p.m. to receive public comment on the adoption of the ordinance. The Selectmen wanted to make sure taxpayers who overpaid would have the excess payment retained as a credit on their next tax bill. At conclusion of discussion, **Howard Lasser made motion that the Selectmen approve the establishment of a Town Ordinance for the Office of Tax Collector to retain on account excess tax payments less than five dollars, seconded by George Walker. Motion carried unanimously.**

CHARTER REVISION AND EXPLANATORY TEXT FOR RESIDENTS: Mr. Davidson reported that Attorney David Grogins is reviewing the proposed ballot questions. The Selectmen will review the ballot questions in September and submit to the Town Clerk to be on the November ballot. The Selectmen agreed that it was very important that the constituents understood the proposed Charter revisions and that an explanatory brochure will be mailed to all homes.

SOUTHERN FEDERAL ROAD WATER LINE PHASE II PLANS: Mr. Davidson gave an update on the waterline construction along Federal Road from Old New Milford Road to Candlewood Lake Road. By the end of this week, they expect to have a contiguous line from 360 Federal Road to the intersection of Federal Road and Sandy Lane. The DOT has mandated some night work on the waterline.

SEWER AUTHORITY AD-HOC COMMITTEE: The Selectmen discussed whether to establish an ad-hoc committee to evaluate the financial and organizational aspects of the Water Pollution Control Authority. Mr. Davidson stated he would support forming such a committee but noted to tread carefully. The WPCA has been an effective authority and strong as it ever has been. There are long term concerns as Authority members change and somewhat the lack of permanence. He stated that his concerns are not so much of the operational issues but

governance. Mr. Lasser stated he was in agreement and it wouldn't hurt to ask the questions. Mr. Walker did not have a problem with forming a committee but doesn't want to interfere with the WPCA functioning correctly. The Selectmen discussed what they would do with the findings and recommendations, and anything that would be done would be under the power of the Selectmen. Mr. Nelson Malwitz, Chairman of the WPCA, noted that they generally have engineers that are hired representing the town and WPCA, and they have had no project that has come over budget. He noted that Town Ordinance Chapter 71 originally put together in the mid 1990's has been recently updated so it would be current. The WPCA is now reviewing the rate structures for the outlet capacity charges and benefit assessments, and they are meeting its obligation of paying its bonds back. They recently completed a ten year capital plan so that they can be sure they have the reserves to take care of contingencies in the rate structures. He requested that the Selectmen defer forming a committee for a few months to order for the WPCA to complete the studies on how to handle the long-range funding and the studies that are now actively underway. Mr. Davidson's view is that they go forward now and the ad-hoc committee could wait to see what the WPCA's sub-committee develops. Mr. Lasser stated he would like to look at some areas of functionality and have that feedback before the budget process and the alternatives for management and what seems to make the most sense for Brookfield. At conclusion of discussion, **William Davidson made motion that the Selectmen establish an Ad-Hoc Committee as defined in the template [Charge] to study the Water Pollution Control Authority with the modification of three electors instead of five, seconded by Howard Lasser. Motion carried unanimously.**

Howard Lasser made motion to add Item 3J to the agenda, seconded by George Walker. Motion carried unanimously.

MAIN STREET INVESTMENT FUND PROGRAM: Mr. Davidson reported that the Governor announced new grants available to Municipalities with populations of less than 30,000 for downtown development. Community Development Director Katherine Daniel will be requesting the Selectmen to pass a resolution approving the grant application for up to \$500,000 for the Four Corners Revitalization sometime in the next few weeks. Ms. Daniel will be working with the town staff and commission members to develop the grant application aiming to show how these improvements will promote economic growth and job creation in the Four Corners.

CONSENT AGENDA

BOARD OF SELECTMEN MEETING MINUTES

- July 2, 2012 Board of Selectmen Meeting Minutes
- July 13, 2012 Special Board of Selectmen Meeting Minutes

NEW HIRE REPORT: For the month of July 2012 the following staff change(s) are reported:

NEW HIRE: Deborah Brooks, PT Library Administrative Assistant, Non Union, Effective July 30, 2012.

SELECTMEN APPROVALS FOR ROUTINE CONTRACT MATTERS

HVCEO GRANT APPLICATIONS TO CT OPM: 1) Regional Plan for Permanent Collection Centers for Household Hazardous Waste; 2) Regional Plan for functional Needs Emergency Sheltering; and 3) Six Town Plan for Emergency Pet Sheltering.

AMERICA THE BEAUTIFUL GRANT APPLICATION: Resolution of Endorsement for grant.

DRIVEWAY BOND RELEASES IN THE AMOUNT OF \$750.

1 Cross Road, #1977
26 Windwood Drive, #1979
49 Elbow Hill Road, #1976
10 Oakcrest Drive, #1969
3 Hillside Court, #1970
4 Hidden Brook Drive, #1978

ZONING COMMISSION BOND RELEASE(S): 14 Gereg Glen, Application #201100271, Final Bond Release in the amount of \$1,200.

CONSENT AGENDA: Howard Lasser made motion to approve the Consent Agenda with the addition of the America the Beautiful Grant Application, seconded by George Walker. Motion carried unanimously.

ADDITIONAL MONTHLY AGENDA ITEMS

APPOINTMENTS

ARTS COMMISSION: Howard Lasser made motion to appoint Cynthia Hathaway (U) to a vacancy on the Arts Commission, seconded by George Walker. Motion carried unanimously.

BOARD OF ETHICS: George Walker made motion to appoint Joni Park (D) to a vacancy on the Board of Ethics, seconded by Howard Lasser. Motion carried unanimously.

PUBLIC COMMENT: There was no public comment.

ADJOURN: William Davidson made motion to adjourn at 9:50 p.m., seconded by George Walker. Motion carried unanimously.

William R. Davidson
First Selectman

Howard Lasser
Selectman

George Walker
Selectman