

SPECIAL BOARD OF SELECTMEN MEETING
MINUTES
SEPTEMBER 4, 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; William Leverence, Controller; members of the public and press; Virginia Giovanniello, Recording Secretary.

PUBLIC COMMENT: The following residents addressed the Selectmen:

- Martin Flynn, 18 Farview Road

ANNOUNCEMENTS: First Selectman Davidson announced the following:

- The September issue of Brookfield Matters is available and residents can receive the newsletter at www.brookfieldct.gov.
- The Police Arbitration hearings will occur in December.

CORRESPONDENCE: Selectman Howard Lasser noted correspondence between himself and Nelson Malwitz, Chairman of the Water Pollution Control Authority, regarding WPCA interest rates and assessments on the three condominium project. Chairman Malwitz stated that the process is under review though no final decision has been made; there is an opportunity to reset the program and lower the annual rates even further.

PARKING APPEAL: At conclusion of discussion, **Howard Lasser made motion that the Selectmen deny Mr. Timothy Knapp's parking appeal. Motion seconded by George Walker, and carried unanimously.**

MONTHLY FINANCIAL RESULTS: At conclusion of the Controller's update to the Selectmen, **Howard Lasser made motion that the Selectmen approve the final Year End Budget Transfers in the amount of \$107,338, as presented by the Town Controller. Motion seconded by George Walker, and carried unanimously.**

NEW ITEMS

PENSION TRUST FUND RESOLUTION FOR CALENDAR YEAR 2012 FUNDING: The Selectmen discussed that the Retirement Benefits Advisory Committee (RBAC) recommended that the Town commit to 100% funding of the ARC. Also, that 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. Mr. Davidson related his conversation with Board of Finance Chairman Jerry Friedrich who felt strongly that the Town should not make the contribution until after the November election and half the contribution this year and half next year if this is moved forward. Mr. Davidson wanted to take advantage of the interest rate and was concerned that the town's bond rating could be reduced if the town waited to fund its ARC requirements. As far as spreading payments over five years, 100% is critical and taxpayers would have to foot that difference. At conclusion of discussion, Mr. Davidson stated that the Selectmen appointed the RBAC to make a recommendation, and he would need significant contradictory evidence to go against them and the advice of the Town's bond/financial advisor. Selectman Lasser read aloud the following Resolution:

Pension Trust Fund Resolution for Calendar Year 2012 Funding – BOS Approved 9/4/12

Whereas the Town of Brookfield provides pension benefits to its employees, and

Whereas the Town wishes to honor its commitments to its employees by providing full funding to its Pension Trust Fund, and

Whereas the Town employs an actuary to compute an appropriate level of annual funding referenced as the Annual Recommended Contribution (ARC), and

Whereas the Town's financial advisor strongly recommends fully funding the ARC to help maintain the Town's strong bond rating, and

Whereas the Board of Selectmen recognizes that a downgrade in the Town's bond rating would increase future borrowing costs for projects already approved and for future projects, and

Whereas the Town of Brookfield for the fiscal year ending June 30, 2012 had a fund balance that was more than \$1,100,000 in excess of its guideline of 7.5% of its annual expense budget, the Board of Selectmen hereby resolve:

Resolve, the Board of Selectmen request a special appropriation of \$850,000 for the purpose of increasing the 2012 annual funding of the Town's Pension Trust Fund to \$1,750,000, which is the 2012 Annual Recommended Contribution. Said funds are to come from the Town's Fund Balance.

At conclusion of discussion, **William Davidson made motion that the Selectmen approve the Pension Trust Fund Resolution for Calendar Year 2012 Funding and forward to the Board of Finance. Motion seconded by Howard Lasser, and carried unanimously.**

PENSION TRUST FUND RESOLUTION TO ESTABLISH A SPECIAL FUND FOR FISCAL YEAR 2014 AND 2015

FUNDING: Selectman Lasser read aloud the following Resolution:

Pension Trust Fund Resolution to Establish a Special Fund for Fiscal Year 2014 and 2015 Funding – BOS Approved 9/4/12

Whereas the Town of Brookfield provides pension benefits to its employees, and

Whereas the Town wishes to honor its commitments to its employees by providing full funding to its Pension Trust Fund, and

Whereas the Town employs an actuary to compute an appropriate level of annual funding referenced as the Annual Recommended Contribution (ARC), and

Whereas the Town's financial advisor strongly recommends fully funding the ARC to help maintain the Town's strong bond rating, and

Whereas the Board of Selectmen recognizes that a downgrade in the Town's bond rating would increase future borrowing costs for projects already approved and for future projects, and

Whereas the Board of Selectmen have accepted and are determined to implement the Retirement Benefits Advisory Committee's pension funding recommendation (approved by that committee on June 21, 2012) to annually achieve 100% of the ARC, and

Whereas the Board of Selectmen recognize that increasing the budget in a single year to achieve 100% funding of the ARC would place an undue burden on the tax payers, and

Whereas the Town of Brookfield will be receiving from Liquidity Solutions, Inc. the sum of \$892,500 or greater as the second and final payment for its claim against the assets of Legion Insurance in Liquidation,

Resolved that Board of Selectmen recommend (as stated in the Retirement Benefits Advisory Committee's recommendation) to the Board of Finance that the Town of Brookfield establish a special fund to be used in fiscal years 2014 and 2015 exclusively to supplement the annual budget allocation to the Pension Trust Fund in order to achieve 100% funding of the ARC,

Resolved that the Board of Selectmen recommend to the Board of Finance that the sum of \$975,000 be transferred from Fund Balance to this special fund, upon receipt of funds from Liquidity Solutions, Inc., and

Resolved that approximately \$565,000 be released in fiscal year 2014 and approximately \$310,000 be released in fiscal year 2015 to be contributed to the Pension Trust Fund in order to achieve 100% of the ARC with \$100,000 to be held in the special fund in the event that it is needed, and

Resolved that additional funds be transferred to the special fund, if needed, to achieve funding of 100% of the ARC in these two fiscal years and after fiscal year 2015 remaining funds, if any, be returned to Fund Balance.

At conclusion of discussion, **Howard Lasser made motion that the Selectmen approve the Pension Trust Fund Resolution to Establish a Special Fund for Fiscal Year 2014 and 2015 Funding and forward to the Board of Finance. Motion seconded by George Walker, and carried unanimously.**

UPDATES

MAIN STREET INVESTMENT FUND PROGRAM GRANT: Mr. Davidson noted that this program would fit ideally for the Four Corners. At conclusion of discussion, **Howard Lasser made motion that the Selectmen approve the plans presented by Fitzgerald and Halliday to develop and improve the Four Corners Streetscape. Motion seconded by George Walker, and carried unanimously.**

George Walker made motion that the Selectmen approve the Certified Resolution of the Legislative Body. Motion seconded by Howard Lasser, and carried unanimously.

Howard Lasser made motion that the Selectmen approve the Certified Resolution of the Town Engineer and the Chief Elected Official. Motion seconded by George Walker, and carried unanimously.

SETTLEMENT OF THE TOWN'S CLAIM AGAINST LEGION INSURANCE COMPANY IN LIQUIDATION: Mr. Davidson reported that he cannot tell all the details of the most recent Special Board of Selectmen Meeting that was held in Executive Session. The Selectmen were offered a settlement for the tree claim and the Selectmen accepted that settlement. There is a ten day waiting period before there is an official settlement in excess of \$892,000.

DEL MAR DRIVE SEWER: Mr. Davidson reported that the Planning Commission approved the WPCA'S proposed Sub-Surface Pump Station.

CELL TOWER ON MUNICIPAL PROPERTY BEHIND FIRE DEPARTMENT: Mr. Davidson stated that two companies have shown interest in moving forward with a Cell Tower behind the Brookfield Fire Department.

Mr. Davidson is on the next Zoning Commission Agenda to advise them of the location of a proposed tower and he stated that hopefully they would be supportive of it even though they don't have the final say as the State's Siting Council would make the decision.

MEADOWBROOK MANOR/HILLSIDE CIRCLE: Mr. Davidson reported that the Town has made some progress with the DOT and State property. The State still needs to do some technical studies and the Town is still providing data. This is an important step forward in moving along the right of way there.

PARKS REVITALIZATION PROJECT AND STILL RIVER PROJECT: Mr. Davidson reported that they are taking a hard look at the Town Beach and Cadigan portion of the project because at the present time it is too expensive. He will report back in a few months with a more comfortable budget. Regarding the Still River Project, Mr. Davidson stated that the DOT is finishing their environmental studies. The Still River trail can be used comfortably for hiking and biking from the beginning at the Silvermine Road entrance heading south as the 14 foot wide trail has wood chipping.

CHARTER REVISION AND EXPLANATORY TEXT FOR RESIDENTS: Mr. Davidson noted that he confirmed with the Town Clerk today that the Charter questions for the November 6th Ballot has been submitted to the State as required. One more public action that the Selectmen have determined will be to put out an explanatory brochure to explain all of the proposed changes in the Charter.

SOUTHERN FEDERAL ROAD WATER LINE PHASE II PLANS: A written update was provided by Mr. Martin Handshy, Water Consultant to the Selectmen, on the Southern Federal Road Water Line Phase II project. Next month, he will provide a financial update of the project.

TOWN OWNED COTTAGE AND BARN ADJACENT TO BROOKFIELD LIBRARY: Mr. Davidson stated that he does not have any more to report at this point in time. They are exploring some potential alternatives for the use of the cottage and barn and the potential selling of the property.

CONSENT AGENDA: George Walker made motion that the Selectmen approve the Consent Agenda items. Motion seconded by Howard Lasser. Motion carried unanimously.

BOARD OF SELECTMEN MEETING MINUTES:

- August 6, 2012 Board of Selectmen Meeting Minutes
- August 17, 2012 Special Board of Selectmen Meeting Minutes
- August 28, 2012 Special Board of Selectmen Meeting Minutes

NEW HIRE REPORT:

New Hire: Roberta Sinatra – FT Tax Collector, Non Union, Effective August 30, 2012.

Resignation: Lauraine Paquin – FT Tax Collector, Non Union, Effective August 31, 2012.

SELECTMEN APPROVALS FOR ROUTINE CONTRACT MATTERS: None at this time.

BOND RELEASES:

Driveway Bond Releases in the amount of \$750.

7 High Acres Road

4 Fernbrook Drive

6 Fernbrook Drive

7 Fernbrook Drive

Zoning Commission: 360 Federal Road, Reduction by \$113,084.90.

ADDITIONAL MONTHLY AGENDA ITEMS

APPOINTMENTS

CABLE ADVISORY COMMITTEE: Howard Lasser made motion that the Selectmen appoint Jonathan Gibney as the Town Representative and Kathleen Colavito as School Representative on the Cable Advisory Council for Charter Communications. Motion seconded by George Walker, and carried unanimously.

SEWER AUTHORITY AD-HOC COMMITTEE: Howard Lasser made motion that the Selectmen appoint Rolf Enger (R), Dan Smolnik (D), and Mary Elizabeth (Betsy) McIlvaine to the Sewer Authority Ad-Hoc Committee. Motion seconded by George Walker, and carried unanimously.

ZONING COMMISSION: The Selectmen discussed the recommendation by the Republican Town Committee for Mr. Jeffrey Cordisco to be moved from alternate to regular member on the Zoning Commission. Mr. Davidson supported Mr. Larry Miller whom he stated had more experience and was the most qualified, though agreed that Mr. Cordisco with seven months on the Zoning Commission will be a very valuable member with additional experience. Mr. Walker stated that he believed this action was unprecedented and is patronage at its worse. At conclusion of lengthy discussion, George Walker made motion that the Selectmen nominate Jeff Cordisco (R) from alternate to regular member on the Zoning Commission. There was no second to the motion.

William Davidson made motion that the Selectmen appoint Larry Miller (R) as a regular member on the Zoning Commission. Motion seconded by Howard Lasser, and passed by majority. George Walker opposed the motion. Mr. Walker stated he was vehemently opposed to the appointment of Mr. Miller over Mr. Cordisco who is presently an alternate on the Zoning Commission.

Howard Lasser made motion that the Selectmen appoint Mara Frankel (D) as alternate member on the Zoning Commission. Motion seconded by William Davidson, and passed by majority. George Walker abstained.

ZONING CITATION HEARING OFFICER: Howard Lasser made motion that the Selectmen appoint Erik Kukk (R) as Zoning Citation Hearing Officer. Motion seconded by George Walker, and carried unanimously.

CONSERVATION COMMISSION: Howard Lasser made motion that the Selectmen appoint Edward (Mac) Dew (R) on the Conservation Commission. Motion seconded by George Walker, and carried unanimously.

PUBLIC COMMENT: There was no public comment.

ADJOURN: Howard Lasser made motion to adjourn at 8:51 p.m., seconded by George Walker. Motion carried unanimously.

William R. Davidson
First Selectman

Howard Lasser
Selectman

George F. Walker
Selectman