Town of West Brookfield-Board of Selectmen
Minutes of Meeting - Regular Session – December 12, 2017
LOCATION: Lower Level Conference Meeting Room, Town Hall - Town Hall TIME: 8:00PM
PRESENT: Diane Vayda, Philip Landine and Deborah Provencer - Selectmen.

Call To Order: 8:00PM - The meeting was called to order by Diane at 8:00pm

The Board met briefly with the Zoning Officer to inquire if there was any involvement by the Zoning Officer with regards to Business Certificates.

The Board met with the Board of Health: Melvin Dorman, John Frizzell and Jason Paquette. Paul Robinson was also present.

The Board briefly discussed the proposed placement of solar panels on the capped landfill. Both Boards agreed to entertain the idea with the three (3) companies who have inquired with the proviso that they are told that currently there is NO three phase power on Wigwam Road. Contact will be referred to the BOH for future discussions.

The Board discussed the recent marketing of the adjacent lot to the Wigwam Landfill. The lot is currently on the market for $68,000. It was noted that the owners had approached the Town in April of 2011 and were asking $250,000 for the 21 +/- acre parcel. The Board of Health (BOH) stated that it might be a worthwhile acquisition as a buffer to the landfill. Several ideas for land reuse were a dog park, walking trail, logging, buffer for landfill etc. The BOH stated that they were concerned that if a developer bought the land and developed house lots that if there were any contamination issues that it would be costly to string a line of public water to the site. Both Boards agreed to canvass various town departments for their input. The information was taken under advisement.

The BOH stated that they had a Mock Disaster earlier in the day at the COA. It mirrored an anthrax invasion. The Mock Disaster included West Brookfield and Warren.

The Selectmen stated that they were concerned with the outcome of the 67 & 75 Shea Road Complaint. The BOH stated that the owner was asked to remove several tires that were attracting mosquitoes. The BOH stated that the owner sliced the tires to remove excess liquid and moved the tires into a trailer located on site. The BOH stated that they did not find any additional threats on the property. There was some discussion about the status of the land. The BOH stated that they were provided with a farm license from the owner. The Selectmen stated that the State of MA – Dept. of Agriculture does not provide farm permits. Farms are defined under MGL C128 s1A. The Selectmen stated that the property is being taxed as residential/buildable lots; not under 61A or any other farming code. The Selectmen stated that the cars on site are unregistered. The BOH stated that this was a police issue. The Selectmen stated that they had spoken to the Police Chief who is looking into the issue. The BOH stated that with the farm designation aside, they could not find any other particular health hazards. They did not find leaking oil, rusting of equipment does not pose a hazard. They agreed it was visual nuisance but that they could only find the tires to pose a health threat. Phil stated that Lee Jarvis wanted to take the owner to court. The BOH stated that they did not believe they would have a strong enough case to win. John Frizzell stated that he has been on the BOH for 35 years and has been down on the property in question at least three times in the past. Phil stated that the BOH should have allowed Lee Jarvis to go to court. Phil further stated that the BOH should call the DEP to have them view the site to confirm the current ruling or to add additional hazards if necessary. Jason Paquette stated that he would be willing to contact DEP for a follow up survey of the site. Melvin Dorman stated that he was concerned that it could jeopardize the BOH’s position; since they had provided a clean bill of health to the site after the tire clean up. After some discussion, Jason Paquette motioned to have the Chair of the BOH contact DEP to perform a site visit to provide guidance and further to contact legal counsel with regards to potential court involvement and the pros and cons. Second John. The Board voted unanimously. The BOH stated that they would follow up on this at their meeting posted for January 9, 2018.

The Selectboard stated that they had ethical concerns were Ms. Allen being involved in this complaint action as she is Mr. Brodak’s sister. The BOH stated that Ms. Allen had left the room and was not involved in the discussions. Phil stated that Ms. Allen had sent emails on the BOH’s behalf; which is questionable. The BOH stated that Ms. Allen was strictly following their direction. Phil questioned the fact that Ms. Allen’s office as Town Clerk had
provided Mr. Brodak with a farming business certificate. Phil further stated that there was an appearance of unethical practices. Diane stated that the BOH should not involve their Administrative Assistant in the issue for both parties protection from perception of others.

Phil stated that he felt as though the BOH Agendas were vague. He provided the BOH with a copy of the posting for this meeting. The BOH took the information under advisement.

Phil asked the BOH for clarity on the Administrative Assistant's time card for the past pay period. Jason stated that the Administrative Assistant was given a raise from $17.11 per hour to $18.82 per hour by the BOH. The Selectmen asked for a breakdown of hourly amounts and questioned the two different job titles listed. The BOH asked Phil to speak with the Administrative Assistant directly. Phil agreed.

The Board adjourned at approximately 9:20pm.

Respectfully submitted,

Diane Vayda  
Chairman

[Signature]

Vice Chairman

[Signature]

Clerk

[Signature]