

Town of Brimfield  
Board of Selectmen  
Meeting Minutes – June 28, 2021

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Members Present: Chair; Mike Doyle, Vice Chair; Paul McCarthy (Remote), Member; Suzanne Collins, Member; Martin Kelly, Member; Pat Leaming, Recording; Admin; Carol Camerota  
In person: Police Chief Kuss, Lieutenant Beaudry, BOH Chair; R. Costa, Town Clerk; D. Fagerstrom, Conservation; C. Platenik, ACO; Krystine O'Connor and residents.  
Virtual callers also in attendance.

**Call to order:** by (Doyle) at 6:30 p.m. and thanked everyone for their attendance.

**Re-Organize Board:**

**Motion:** by (Doyle) to nominate (Collins) as Chair, seconded by (Leaming), McCarthy - Yes  
All in favor, motion passes.

**Motion:** by (Collins) to nominate (Leaming) as Vice Chair, seconded by (Kelly), (Collins)-yes,  
(Leaming)-yes, (Kelly)-yes Motion passes

**Motion:** by (Leaming) to nominate (Kelly) as Secretary,  
(Doyle) questioned the position since the Board has never had one, to which (Leaming) responded, he should read the Municipal law and that it's a new board now. Seconded by (Collins)  
(McCarthy) would like to do some research and abstain, (Doyle) abstain.  
(Leaming)-yes, (Kelly)-yes, (Collins)-yes Motion passes

**Payroll and Warrants:**

**Minutes:**

Review & approve minutes from June 7, executive & open, June 15 & 16, 2021.  
(McCarthy) could not review minutes and would like to table until next meeting.

(Leaming) had a moment of silence for B. McCarthy.

**Reports of Officers, Boards, and Standing Committees:**

A. Bradway: Discussion of HCA for recreational marijuana:

Angela Bradway Came before the board and gave an overview of her plan for a recreational marijuana facility. She has been part of the community for years while raising her children. She would like to bring social equity to the community. She is looking at purchasing 330 Palmer Road and feels this will also have the potential to bring in revenue for the town estimating approx. 30k per year and eventually add a delivery option for social equity. Outreach being a 30 mile radius. All sales will be restricted for adults 21 and over. Orders maybe placed 24 hours in advance. A 3% impact fee would come back to the town along with donations to the Sr. Center and Police Department. All efforts will be made to make sure this is a safe product. Adding also donations towards a fund for impaired driving for cannabis. She is seeking a retail HCA (Host Community Agreement) with ability to deliver. Currently in the process of obtaining a license in Dorchester, MA. This would be a delivery, wholesaler business with 5 to 10 courier vehicles.

Board questioned approval of a HCA without a firm location and the Selectmen's role in approving delivery in town.

(Leaming) asked if she had done any negotiations through the Police to get the best deal.

Continued discussion of the 3% and efforts that will be made by Bradway.

(McCarthy) added that the HCA has governed stipulations as to what the town can do and that the state will stipulate. Also suggests hearing from other HCA applicants in town.

Board would like to read through before appointing a liaison. Revisit.

Felicia Uback, DCR: Request booth on town property during July Flea Market for info on long horn beetles:

Not present.

(Doyle) received an email from Alex McNitt regarding the Chamber of Commerce setting up in front of the Annex and Library.

**Motion:** by (Collins) to allow Chamber of Commerce to set up during the flea Market between Annex and Library, seconded by (Kelly). (Doyle) amend the Motion to no more than 3 cars in the parking lot at the Annex. All in favor, motion passes.

C. Camerota to contact both. Alex McNitt inquired about a vendor permit. C. Camerota replied yes it would be a Non profit with n/c.

Approve and sign new insurance rates for FY22:

**Motion:** by (Doyle) to sign new FY22 insurance policies for the town, seconded by (Leaming)

All in favor, motion passes.

#### **7:00 p.m. Public Access**

M. Miller attending virtually had 5 issues to discuss regarding the Police Department which the Board members are aware of.

1. Sensitive issues with possible charges against Officer R. Olszta. (Collins) asks for an executive session. Miller wants a response from the BOS or he will file with the District Attorney to take over the case and wants postponement of R. Olszta reappointment and to be suspended immediately. (McCarthy) suggests executive session which needs 48 hour advance notice and the discussion shouldn't continue. Miller doesn't disagree but wants appointment to be held.

2. Asking Chief of Police for R. Olszta to not contact Miller or his family directly or indirectly.

3. Requesting that anything posted on the Brimfield Facebook Police page go through the Chief prior to posting. (Collins) agreed

4. Number of hours Police are working at flea market. He personally does not believe they should be on duty 16 to 18 hours. Chief should make a decision with no more than 10 hours being worked at a time and 10 hours off after a shift. (Collins) believes 12 hours is reasonable shift. He would like the Board to vote.

5. Emergency services. D. Moriarty reported at the ATM the number of permits is going down every year. Hope the board will look at all emergency services to reduce the amount of money spent.

(Collins) asked the audience to not make cat calls when someone is speaking.

Derek Walsh, Washington Rd has looked at the logs for Olszta and is curious what is going on.

Believes in Olszta as a Police Officer and Selectmen and is concerned that someone is going after him. (Collins) responded the concerns Miller is raising are for a protective class.

A. Bradway, Champeaux Rd. thinks this is directed personally then professionally at Officer Olszta. Police make less than our janitors and we need people to protect us.

Julie Ferro, Apple Rd. was in the U.S. Army. Large shifts are your job to serve and protect and carry a weapon. Brimfield is more than qualified and trained for our town and visitors.

(Collins) stopped comments.

(Doyle) should not be having a love fest or slam fest for any employee in town and suggests putting comments in writing.

Shouting continued and (Collins) asked one resident to leave meeting.

(Kelly) responded he was not criticizing the whole Police department but just one individual. After executive session the board will revisit.

Jennifer Polsnak, asked if the executive session was for voting? Answer, No

(Leaming) stated he will not be pushed around by Facebook. He has been in town for 48 years and a Building Official with Police powers. He has no ill feelings for the anyone and when there are issues, he has no problem going into executive session.

Eileen Cane, Five Bridge Rd. Can residents submit letters to the board? Yes, either mail or email.

(McCarthy) Congratulations to newly elected members (Kelly) and (Leaming). A written statement was read regarding new members trying to have a meeting last week, earlier than the scheduled one for the Monday after elections to reorganize the board. This was disrespectful and protocol will be maintained with system put in place before us. (Entire statement attached with minutes)

(Leaming) responded that he thought he was respectful and tried to involve the rest of the board to meet on an urgent matter.

Chief Kuss wanted to address M. Miller and his comments. The Police department's Facebook page is reviewed and judged by the Chief and he has taken down content. He would like to discuss further the hours of flea market.

(Doyle) Doesn't disagree and would like to see all posts reviewed by Department heads.

(Collins) has a social media policy to have board look at.

#### **Reports of Officers, Boards, and Standing Committees (con't)**

##### Award fuel and boiler maintenance bids:

**Motion:** by (Doyle) to accept FY22 fuel, gasoline, diesel and boiler maintenance, seconded by (Kelly) All in favor, motion passes.

##### Sign Solitude Lake contract water lily treatment:

Additional water lily treatment not previously signed on the Solitude Contract was signed by Chair.

##### Re appointments:

##### Public Access Videographers:

**Motion:** by (Doyle) move to appoint Claire Hill and Abi Hill as videographers for 1 year until 6/30/2022, seconded by (Leaming), all in favor, motion passes.

##### COA Advisory Board:

**Motion:** by (Leaming) move to appoint D. Panaccione to the COA Advisory Board for a 1 year until 6/30/2022, seconded by (Doyle), all in favor, motion passes.

##### ZBA members:

**Motion:** by (Kelly) move to appoint Kevin Moore as a voting member on ZBA for a 3 year term until 6/30/2024, seconded by (Collins), all in favor, motion passes.

**Motion:** by (Doyle) move to appoint Paul Vandal for a 1 year term until 6/30/2022, seconded by (Leaming), all in favor, motion passes.

**Motion:** by (Kelly) move to appoint Jeff Fitzgerald as Associate on ZBA for a 1 year term until 6/30/2022, seconded by (Collins), all in favor, motion passes.

##### Bylaw Committee:

**Motion:** by (Leaming) move to appoint M. Frazier to the Bylaw Committee for a 1 year term until 6/30/2022, seconded by (Kelly), all in favor, motion passes.

##### ACO:

**Motion:** by (Kelly) move to appoint Krystine O'Connor as Animal Control Officer for a 1 year term until 6/30/2022, seconded by (Leaming). (Kelly)-yes, (Leaming)-yes, (Collins)-yes, (McCarthy)-yes, (Doyle)-abstain. Motion passes.

Lieutenant of Police:

William J. Beaudry for a 3 year term until 6/30/2024. Chief Kuss is requesting 3 years for the first time however statute allows for it.

(Kelly) hasn't seen the list of Police reappointments and would like some time to look them over. Appointments are to continue the existing staff and 3 new members. Opportunity to get new training won't begin until after July 1<sup>st</sup>. (Doyle) added that at the last meeting these 3 were appointed for the remainder of FY21 and if we wait then they won't be reappointed in the new fiscal year. (Kelly) and (Leaming) pointed out that they would continue in that position.

(Kelly) wanted to see how the current staff would fit into the new regulations. Chief Kuss asked why (Kelly) wouldn't take his 18 years' experience and his recommendation along with being a strong Chief. (Kelly) disagreed and said that the town accepted statute 97a. Even being a strong Chief, Chief Kuss felt he would still ask the Selectmen's approval.

(McCarthy) we take the advice of other boards for members and this is a part time department we should defer to the Chief.

Chief responded that the 10 listed are current members and the existing staff.

(Doyle) stated has had the honor of meeting most of the Officers.

**Motion:** by (Doyle) move to appoint William J. Beaudry for a 3 year until 6/30/2024, and all the 10 listed for 3 years, seconded by (McCarthy), (Collins)-no, (Leaming)-no (Kelly)-no

**Motion:** by (Collins) move to appoint William J. Beaudry as Police Lieutenant for a 3 year term until 6/30/2024, seconded by (Leaming). (Doyle)-yes, (Leaming)-yes (Collins)-yes (Kelly)-yes (McCarthy)-yes Motion passes.

**Motion:** by (Collins) all others as listed stay at a one-year term, seconded by (Kelly) (Leaming) would like to amend motion adding that we have quality people and do them one at a time.

**Motion:** by (Collins) move to appoint Curtis Sampson as Benefited Officer for a 3 year term until 6/30/2024, seconded by (Leaming), all in favor, motion passes

**Motion:** by (Doyle) move to appoint Ryan Olszta as a Benefited Officer for a 3 year term until 6/30/2024, seconded by (McCarthy). (Doyle)-yes, (Leaming)-no, (McCarthy)-yes, (Kelly)-no, (Collins)-no. Motion failed

Officer Olszta and Chief Kuss responded about the conversation asking why an Officer was being singled out and terminated. (McCarthy) was concerned that non reappointment from a legal perspective may make the town liable. (Leaming) responded that he didn't care about fact finding and doesn't need a reason to not reappoint someone. (Doyle) offered town counsel's email response. (Collins) called for a recess at 7:44 p.m.

Convene at 7:47 p.m.

**Motion:** by (Collins) move to appoint Daniel Fagan as Patrolman for a 3 year term until 6/30/2024, seconded by (Leaming), all in favor, motion passes.

**Motion:** by (Collins) move to appoint Nicholas Demetrion as Patrolman for a 3 year term until 6/30/2024, seconded by (Leaming), all in favor, motion passes.

**Motion:** by (Collins) move to appoint Joseph Cecchi as Patrolman for a 3 year term until 6/30/2024, seconded by (Doyle), all in favor, motion passes.

**Motion:** by (Collins) move to appoint Nelson Ramos as Patrolman for a 3 year term until 6/30/2024, seconded by (Doyle), all in favor, motion passes.

**Motion:** by (Collins) move to appoint Justin Donahue as Patrolman for a 3 year term until 6/30/2024, seconded by (Doyle), all in favor, motion passes.

**Motion:** by (Collins) move to appoint Paul Bouchard as Patrolman for a 3 year term until 6/30/2024, seconded by (Doyle), all in favor, motion passes.

**Motion:** by (Collins) move to appoint Christopher Ryan as Patrolman for a 3 year term until 6/30/2024, seconded by (Doyle), all in favor, motion passes.

(Collins) would like to table Olszta's appointment until after executive session. Seconded by (Leaming). (Doyle) was concerned for the town's liability. Crowd wanted to speak. Chris, East Hill Rd. Olszta should have due process and will the town be involved? Chief Kuss asked why a decision can't be made and nothing would persuade him to not make this recommendation tonight. (McCarthy) reiterated listening to town counsel and take it seriously.

(Leaming) asked the Chief if women and minorities have been put on the job posting? Chief Kuss confirmed he has had females and minorities on the department but practice is to provide the best service regardless. (Collins) would like to see job postings on the website since it is the law to post.

**Motion:** by (Doyle) move to appoint Timothy Grant, Mark Belliveau, Christopher LaDou and Brandon E. Hill for 1 year until 6/30/2022, seconded by (McCarthy). (Kelly)-no (McCarthy)-yes Motion passes

The crowd shouted again to which (Doyle) asked for replies of frustrations to be emailed to the Selectmen.

#### Licenses:

##### Annual Common Victualler licenses:

Leaming asked about the need to invoke the rule of necessity regarding (Doyle). (Doyle) responded that he does not have his food truck and does not park during flea market.

**Motion:** by (McCarthy) move to approve annual common victualler licenses for S. Balderelli, Diane's Villa Nova, Holland, MA, J. Candiano, Uncle Mitch's Munchies, Lawrence, MA, W. Beaulieu, Cook Strong, Windsor, CT, L. Shelton, Shelton's Antique Shows, Brimfield, MA, W. Watty, Treasure Hunter, Brimfield Acres, 74 Palmer Rd., J. Bragdon, All Things Maple, Shelburne Falls, MA, J. Gordon, Mined Goods, Salem, MA, M. Shirzadi, Sassy's Catering, Thorndike, MA and removing V. Popovich, Val's Vittles, Burlington, CT and adding G. Powell, Crystal Caves, J. LeBlanc, Kettle Corn Hut, seconded by (Kelly), (Collins) abstain, (Kelly) abstain, all in favor. Motion passes.

##### Flea Market Owner Operator:

**Motion:** by (Leaming) move to approve Flea Market Owner Operator licenses for D. Burns, Crystal Brook, 4 Palmer Rd., D. Findlay, DTE Holdings, Palmer Rd. and W. Watty, Treasure Hunter/Brimfield Acres, 74 Palmer Rd., seconded by (Doyle), (Collins)-abstain, (Kelly)-abstain, all in favor, motion passes.

##### Early Sales Permit:

**Motion:** by (Leaming) move to approve Early Sales Permit for July and September shows for Vincent Trant at Hertan's, 6 Mill Lane, Brimfield, seconded by (Doyle), (Kelly)-abstain, (Collins)-abstain, all in favor, motion passes.

##### Auction Permit:

**Motion:** by (Leaming) move to approve auction permits for Arthur Crisafulli, Hertans, 6 Mill Lane for July 15 and Thursday September 9.

(McCarthy) questioned dates and if they can operate during the show. C. Camerota confirmed that this was not a new event and has been happening for several years. Seconded by (McCarthy) (Kelly)-abstain, (Collins)-abstain, all in favor, motion passes.

##### Special & One Day Liquor Licenses:

**Motion:** by (Leaming) move to approve a Special & One Day Liquor License for C. Chesky, CT Yankee Popcorn, Bristol, CT, seconded by (Doyle), (Kelly)-abstain, (Collins)-abstain, all in favor motion passes.

**Reports of Special Committees:**  
**Special Orders:**

**Unfinished Business and General Orders:**

Shades for town hall:

Doyle will get more info

Grants update: ADA Grant & Green Community memorandum: Regional Energy Planning Assistance:

E. Pittsinger will receive an AARP Grant which will provide benches and picnic tables for the common for \$10,000.

No one worked on the Green's Community.

Network update:

Can remove from agenda

**New Business:**

Liaisons – Point person for departments:

Send list to everyone. Next agenda.

Memorandum of understanding for PVPC:

Someone needs to work on it. (Collins) will work on

**Motion:** by (Collins) that only the Chair and Vice Chair can contact town counsel, seconded by (Kelly) (Collins) amend motion for Vice Chair to let chair know.

(McCarthy) amend motion if Chair is not available then Vice Chair. Given the last year with COVID. Seconded by (Kelly), all in favor. motion passes.

**Office Matters & Mail:**

(Leaming) would like to change the time of the meeting to 5:00 p.m. for (Kelly). (Doyle) can't make it. (McCarthy) suggested 6:00 pm. Hold at 6:30 p.m.

D. Costa, Warren Rd. – Questioned Finance appointments. Next agenda.

(Collins) passed around a social media policy. Board will discuss at a future meeting and then send to town counsel. (McCarthy) will email a social media policy also.

**New:**

Vadar contract:

Just received today and wasn't on the agenda. Needs to be signed before the new fiscal year.

Signed by Chair

(Doyle) received grant last year to build data center at the public safety complex. Tantasqua are looking to begin and expend the funds. Quotes were submitted to the State. Separate fiber from the town offices. No objections from the board for work to begin.

Tri town CDBG:

Meetings formally attended by former Selectboard member R. Olszta. Liaison is needed. List will be on next agenda.

E. Pittsinger added that Brimfield should try on their own for funds and that people in town would benefit from it. Assistance for roofs, septic, new windows and insulation. Someone should look into it. (Collins) will work on this. Next meeting will choose liaison

Computers:

Highway Surveyor is requesting laptops for Highway mechanic and Highway Assistant. Town Clerk, D. Fagerstrom is requesting a desk top capable to hook up to the network and upgrade or replace laptop. She is also requesting a cell phone to be available for emergencies. S. Rich, IT is unable to hook up current laptop and would like everything to be secure. Accountant has given account balance of \$6,500 left to be used in FY21 for these items.

**Motion:** by (Doyle) move to approve upgrading laptop and new desktop totaling \$1,100. To replace both would be \$2,000. Upgrades of laptop, new desktop for Town Clerk, and new laptops for highway assistant and highway mechanic.

Cell phone:

(McCarthy) mentioned that the new phone system has an app that you down load and makes your personal cell phone look as though it is at the town hall and without charges. Suggest looking into that. (Doyle) has called MiColab but it needs to be configured. D. Fagerstrom will speak with S. Rich regarding this.

(Doyle) added that there are many people present in the room that could benefit by having cell phones and should be looked into.

(Doyle) was notified by A. Gobi's office regarding Federal recovery funds for municipalities. Appears that it could be in the ballpark of 1.1 million. Needs to be done by June 30<sup>th</sup>. (Collins) will stop into the office.

(Leaming) would like to have the board look into ZBA emails regarding the solar project on Brookfield Rd. ZBA determination on agenda for next meeting. Seconded by (Collins). All in favor. (McCarthy) doesn't feel this needs a vote.

**Adjourn:**

**Motion:** by (Doyle) move to adjourn at 8:35 p.m., seconded by (Kelly) Roll call as follows:  
(Collins)-Yes (Doyle)-yes (Leaming)-yes (McCarthy)-Yes (Kelly)-yes Motion passes.

**Upcoming Meetings:**

Tuesday, July 6, 2021, 6:30 p.m.

Respectfully Submitted:

*Carol Camerota*

Transcribed by: Carol Camerota

ACCEPTED: *[Signature]*

DATE: *07/06/2021*

Documents Utilized for this meeting

**MATERIALS FOR BACKGROUND AND REFERENCE**

1. A. Bradway request for HCA
2. Solitude Lake contract
3. Berry Insurance FY22 policies
4. Police requests for appointments
5. Fuel bid results
6. Appointment requests for Videographers, COA Advisory Board, ZBA members, Bylaw Committee, ACO
7. Licenses as listed on agenda