



TOWN OF BROOKLYN

P.O. Box 356 - Route 6 and 169
BROOKLYN, CONNECTICUT 06234

OFFICE OF SELECTMAN
(860) 779-3411 Option 2

TOWN CLERK
(860) 779-3411 Option 4

TAX COLLECTOR
(860) 779-3411 Option 5

ASSESSOR
(860) 779-3411 Option 6

Board of Selectmen
Regular Meeting Minutes
Thursday, September 14, 2017
6:30pm Clifford B. Green Memorial Center

Present: Rick Ives, Joe Voccio, Bob Kelleher, Melissa Bradley; recording secretary

Also Present: Ken Dystra, Sandy Brodeur, David Fuss, Wayne Jolley, Aaron Kerouack, WILLY Radio

1. **Call to Order:** Mr. Ives called the meeting to order at 6:30pm.
2. **Approve Previous Minutes:** Bob Kelleher made a motion to approve the minutes from 8/31/17 as presented. Joe Voccio seconded the motion. Motion passed 3-0.
3. **Public Comment:** None
4. **2017-18 Budget Update:** There are no new updates at this time, still waiting on the State budget, possibly tonight.
5. **Action on Line of Credit:** Bob Kelleher made a motion to send the letter of commitment for approval to the Board of Finance. Joe Voccio seconded the motion. Mr. Voccio states this should be available for any cash flow issue with the board of finance approval. Mr. Ives states it is not limited to just the school roof projects., there are no restrictions on it. Mr. Kelleher states the closing date needs to be flexible. Motion passed 3-0.
6. **Discussion on Open Space Referral:** Mr. Ives shares an email received from the Planning and Zoning Commission:

The Planning and Zoning Commission PZC is forwarding this proposal to you for feedback. The owner of a parcel of land to be subdivided on South Street (Barry Builders, Inc.) has suggested that the open space designation be given in fee to the Town of Brooklyn. The PZC is seeking your independent consideration of this proposal.

The land is approximately one acre with about 300' of shoreline along the Quinebaug River. There is an existing path along the shore. Noncontiguous land to the south (Kathleen Dr.) is already permanently protected by a conservation easement with a public right to pass.

RECEIVED
TOWN CLERK'S OFFICE
2017 SEP 20 PM 1:38
RECORDED VIL. PAGE
Maria A. Manville
TOWN CLERK, BROOKLYN, CT

Contiguous land to the north is already permanently protected by a deed restriction with a public right to pass if the pieces are ever connected.

The PZC respectfully requests a response by October 4th.

Bob Kelleher made a motion to recommend not to take the land with no compelling reason why we should. Joe Voccio seconded the motion. Mr. Kelleher suggests access should be granted for people to pass and re-pass. Motion passed 3-0.

7. **Discussion on Fracking Waste Ordinance:** Bob Lee submitted his comments concerning the fracking waste ordinance from Eastford. Mr. Lee suggests elaborating the reference to "handling", this statement is too broad; Transportation and a situation where an accident could occur needs to be addressed. Mr. Lee suggests "handling (except for emergency cleanups due to transportation accidents)."

Joe Voccio made a motion to move forward with drafting a fracking waste ordinance. Mr. Kelleher still has concerns with the ordinance. There is no urgency to act on this. J. Voccio withdraws his motion. Mr. Ives would like any concerns with the ordinance sent to him for discussion at a future meeting.

8. **Update on School Roof Project:** The middle school roof should be done by the end of the month. There have only been two change orders. There will be another request for payment.

Bob Kelleher made a motion to add the Young Marine Red Ribbon Proclamation to the agenda. Joe Voccio seconded the motion. Motion passed 3-0.

Bob Kelleher made a motion the Town of Brooklyn adopt the Proclamation Recognizing Red Ribbon week as set forth in the proclamation from the Young Marine and allow Rick Ives to sign the proclamation. Joe Voccio seconded the motion. Motion passed 3-0.

9. **Single Family Dwellings:** Not yet completed.

10. **Calls for Service:** No discussion

11. **Approve Bills:** No bills to approve.

12. **Other Business:** The Recreation truck approved in the capital projects is about to be purchased with a 5 year lease at 3%.

The RFP to rekey the school did not receive any bids. The conditions will need to be revamped and the RFP resubmitted.

Bob Kelleher attended the Health Department meeting and new regulations for food services were submitted. An adjustment on fees and new rules will be effective October 1st but not enforced until July 1st, 2018.

Bids will be opened at the Housing Authority meeting next week.

13. Public Comment: Sandy Brodeur questions if holding back on capital project expenditures has been considered? Mr. Ives states only a couple projects were expensed and the rest were bonded so there is no need to hold back on them.

14. Adjourn: Bob Kelleher made a motion to adjourn the meeting. Joe Voccio seconded the motion. Meeting adjourned at 7:20pm.

Respectfully Submitted;

Melissa J. Bradley
Recording Secretary

Melissa Bradley

From: Jana Roberson
Sent: Tuesday, September 12, 2017 3:01 PM
To: Rick Ives; Joseph Voccio; Carlene Kelleher
Cc: Melissa Bradley; Michelle Sigfridson (msigfridson@gmail.com); 'pcsurvey@snet.net'
Subject: Referral of Open Space Proposal
Attachments: SD 17-003 sheet 3- OS.pdf

To the Brooklyn Board of Selectmen,

The Planning and Zoning Commission PZC is forwarding this proposal to you for feedback.

The owner of a parcel of land to be subdivided on South Street (Barry Builders, Inc.) has suggested that the open space designation be given in fee to the Town of Brooklyn.

The PZC is seeking your independent consideration of this proposal.

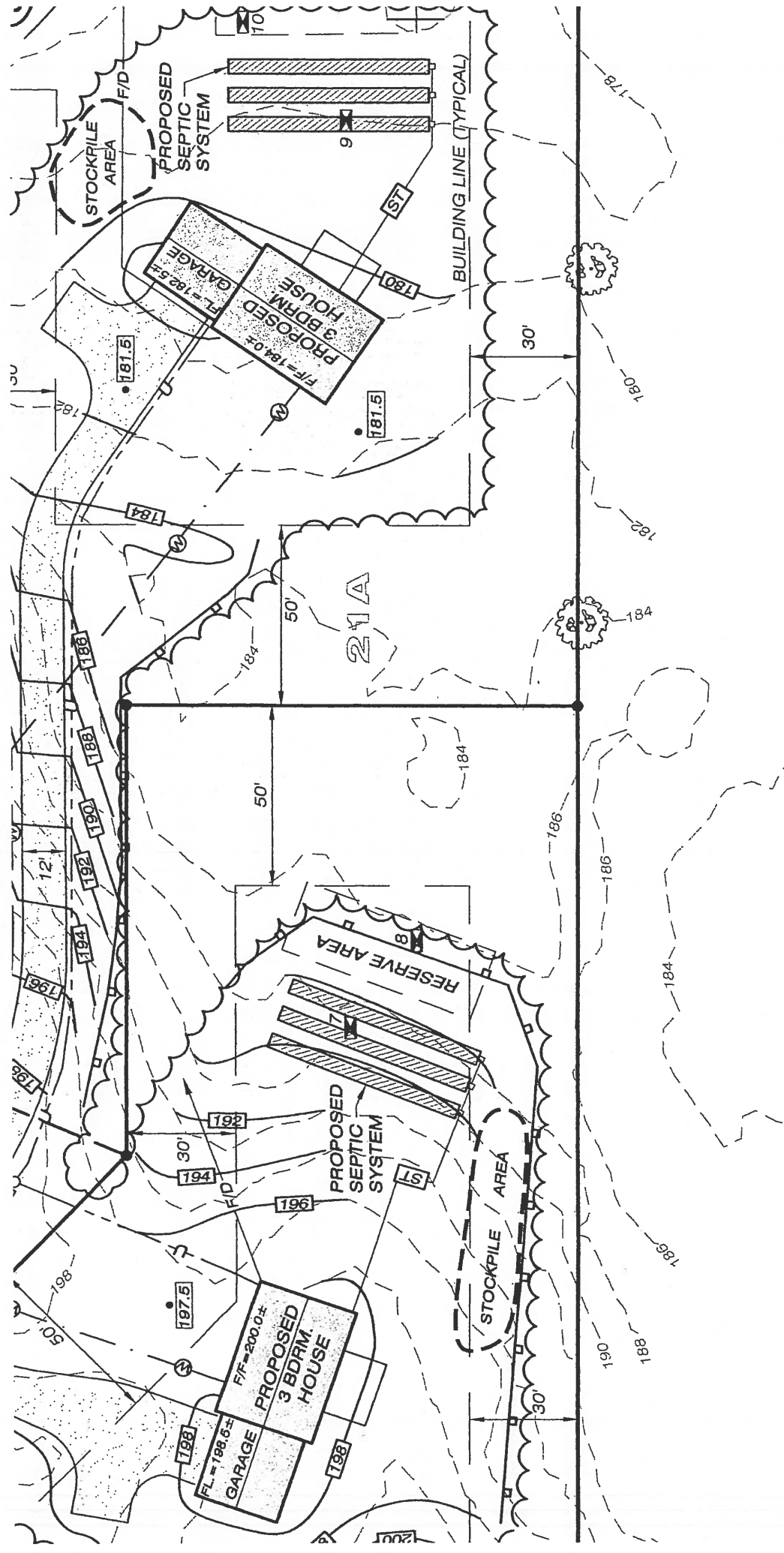
The land is approximately one acre with about 300' of shoreline along the Quinebaug River. There is an existing path along the shore. Noncontiguous land to the south (Kathleen Dr.) is already permanently protected by a conservation easement with a public right to pass. Contiguous land to the north is already permanently protected by a deed restriction with a public right to pass if the pieces are ever connected.

The PZC respectfully requests a response by October 4th.

Thank you.

Jana Butts Roberson, AICP
Director of Community Development
Town of Brooklyn, CT

j.roberson@brooklynct.org
(860)779-3411 x.14
PO Box 356
Clifford B. Green Memorial Building, Suite 22
69 South Main Street
Brooklyn, CT 06234



SOIL TEST DATA - LOT 38-4

TP 7

0-10" TOPSOIL/ROOTS
10-105" COARSE SAND & GRAVEL

NO MOTTLING
NO WATER
NO LEDGE

TP 8

0-9" TOPSOIL/ROOTS
9-42" VERY FINE LOAMY SAND

LEGEND

- IRON PIN FOUND
- IRON ROD TO E
- EXISTING CON
- PROPOSED CON
- [202.5] PROPOSED SPC
- ☒ TEST PIT

DATE: 9/03/2017

SUBJECT: Review of Eastford Ordinance on Fracking wastes

FROM: Bob Lee

I have reviewed the above mentioned document and have the following comments to present:

1.] Overall, the document seems to be generally well written and comprehensive in nature.

However, having been involved in many environmental and hazardous waste incidents in the past, I would suggest the following clarification be added to prevent confusion and possible legal conflicts in the future.

Section 1. D. States: the storage, disposal, sale, acquisition, handling, treatment and/or processing of waste from natural gas or oil extraction activities is prohibited within the Town of Eastford. The reference to "handling" in the text as is, is troubling to me as it appears to be overly broad.

Section 5. States: Nothing in this ordinance shall be interpreted to bar the transportation of any product or by-product described herein on any road or real property within the Town of Eastford. My concern here relates to a situation that could occur that involves a transportation accident involving the spillage of wastes such as described in this ordinance.

The prohibition, in section 1, of "handling" these types of waste products would seem to bar any cleanup activity.

Perhaps something like: ", handling (except for emergency cleanups due to transportation accidents)" would clarify the statement and eliminate future legal difficulties.

Respectfully Submitted,


Bob Lee

TOWN OF EASTFORD

August 7, 2017

ORDINANCE

**PROHIBITING THE STORAGE, DISPOSAL OR USE OF WASTE FROM OIL AND
GAS EXPLORATION OR EXTRACTION ACTIVITIES, OR ANY DERIVATIVE
THEREOF, IN THE TOWN OF EASTFORD, CONNECTICUT**

SECTION 1. PROHIBITIONS

- A. The application of natural gas waste or oil waste, whether or not such waste has received Beneficial Use Determination or other approval for use by DEEP (Department of Energy and Environmental Protection) or any other regulatory body, on any road or real property located within the Town of Eastford for any purpose is prohibited.
- B. The introduction of natural gas waste or oil waste into any waste water treatment facility within or operated by the Town of Eastford is prohibited.
- C. The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town of Eastford is prohibited.
- D. The storage, disposal, sale, acquisition, handling, treatment and/or processing of waste from natural gas or oil extraction activities is prohibited within the Town of Eastford.

**SECTION 2. PROVISION TO BE INCLUDED IN BIDS AND CONTRACTS FOR
CONSTRUCTION OR MAINTENANCE OF TOWN ROADS AND
REAL PROPERTY**

- A. All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford shall include a provision stating that the materials shall not contain natural gas waste or oil waste.
- B. All bids and contracts related to the solicitation of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford shall include a provision stating that no materials containing natural gas waste or oil waste shall be utilized in providing such services to the Town of Eastford.
- C. The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford, and all bids related to the solicitation of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford:

"We _____ hereby submit a bid for materials,
equipment and/or labor to the Town of Eastford. The bid is for bid

documents titled _____. We hereby certify under penalty of perjury that, if this bid is selected, no natural gas waste or oil waste will be used by the undersigned bidder in the performance of the contract. We further certify that no subcontractor, agent or vendor will be allowed or permitted to use materials containing natural gas waste or oil waste."

SECTION 3. PENALTIES

This ordinance shall apply to any or all actions occurring after the effective date of this ordinance. The Town of Eastford is empowered to issue "Cease and Desist" orders in case of any violation of the Prohibitions and Provisions stated above in Sections 1 and 2. It is further empowered to require remediation of any damage done to any land, road, building, aquifer, well, water course, air quality or other asset, be it public or private, within the Town of Eastford. It may impose fines in any amounts deemed reasonable as determined by the Eastford Board of Selectmen for any and all infractions against this ordinance.

SECTION 4. DEFINITIONS

As used in the ordinance, the following terms shall have the meaning indicated:

APPLICATION – The physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Eastford.

HYDRAULIC FRACTURING – The fracturing of underground rock formations, including shale and non-shale formations, by man-made fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.

NATURAL GAS EXTRACTION ACTIVITIES – All geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.

NATURAL GAS WASTE –

- A. Any liquid or solid waste or its constituents, that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
- B. Leachate from solid wastes associated with natural gas extraction activities;
- C. Any waste that is generated as a result of or in association with the underground storage of natural gas;
- D. Any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and
- E. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

OIL EXTRACTION ACTIVITIES – All geologic activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.

OIL WASTE –

- A. Any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
- B. Leachate from solid wastes associated with oil extraction activities; and
- C. Any products or by-products resulting from the treatment, processing, or modification of any of the above wastes.

SECTION 5. TRANSPORTATION

Nothing in this ordinance shall be interpreted to bar the transportation of any product or byproduct described herein on any road or real property within the Town of Eastford.

SECTION 6. SEVERABILITY

If any provision of this ordinance shall be determined by any court of competent jurisdiction to be invalid and unenforceable to any extent, the remainder of this ordinance shall not be affected thereby, and each provision hereof shall be valid and shall be enforced to the fullest permitted by law.

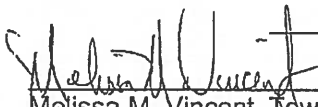
SECTION 7. EFFECTIVE DATE

This ordinance shall become effective 15 days after adoption at Town Meeting.

Approved by the Board of Selectmen: July 17, 2017

Town Meeting Approval: August 7, 2017

Effective Date: August 22, 2017

Town Clerk Attest:  August 7, 2017
Melissa M. Vincent, Town Clerk



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
Troop D, Danielson

September 7, 2017

First Selectman Richard Ives
P. O. Box 356
Brooklyn, Ct 06234

Dear First Selectman Ives:

This correspondence is to keep you apprised of the monthly police services occurring within the Town of Brooklyn. It is my sincere hope that this report will assist you in better understanding our role in your community.

During the month of August 2017 Troop D Troopers responded to 336 Calls for Service in the Town of Brooklyn. Of these Calls for Service the most notable are:

Accidents:	<u>6</u>
Criminal Invest:	<u>24</u>
Burglaries:	<u>2</u>
Larcenies:	<u>4</u>
Non Reportable Matters:	<u>300</u>

In addition to the above investigations Troopers conducted the following motor vehicle enforcement:

DUI'S:	<u>0</u>
Traffic Citations:	<u>61</u>
Written Warnings:	<u>30</u>

Very truly yours,

A handwritten signature in black ink, appearing to read "John B. Ceruti".

Lieutenant John B. Ceruti
Commanding Officer
Troop D, Danielson

55 Westcott Road
Danielson, CT 06239
Phone: (860) 779-4900/Fax: (860) 779-4918
An Affirmative Action/Equal Opportunity Employer



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PROCLAMATION RECOGNIZING RED RIBBON WEEK

WHEREAS, Red Ribbon Week is a campaign to show support for ridding communities of illicit drug use and use those that traffic and profit from illicit drugs; and

WHEREAS, Red Ribbon Week will take place October 23rd through October 31st; and

WHEREAS, the Natchaug River Young Marines located in Dayville along with the Young Marines from many surrounding Towns, will actively participate in this nationally recognized illicit drug awareness event; and

WHEREAS, the Young Marine Program promotes good citizenship and a healthy lifestyle is through education and awareness and the best way to educate is to lead by example; and

THEREFORE, BE IT PROCLAIMED BY THE BOARD OF SELECTMEN OF THE TOWN OF BROOKLYN that the Natchaug River young Marines should be recognized as an outstanding opportunity for our local youth and for their continuing efforts to educate and promote a healthy drug-free lifestyle; and

BE IT FURTHER PROCLAIMED that the Young Marine program should receive the support of the Board of Selectmen and the residents of our Town for their positive impact on our youth and our community by wearing a red ribbon during Red Ribbon Week.

Richard Ives
First Selectman

Dated this 14th day of September, 2017