# TOWN OF WEST BROOKFIELD

## BOARD OF SELECTMEN

**Monday, August 19th, 2025 – 6:00 PM**

**West Brookfield Town Hall, 2 East Main Street, Conf. Room (1st floor).**

MINUTES

STAFF PRESENT: Roland Sickenberger, Chair; Catherine Lamica, Vice Chair; Theresa Cofske, Town Administrator; Beth Gobeille, Exec. Asst. to TA/BOS; Gary Simeone, ZBA; Nick Thomo, ZEO; David Brown, LWPA/Planning Board.

GUEST: Michael L. Garland, lawyer for Hilarie Shea re: Zoning infringement; Linda Carpenter, resident; Vivian Acosta, resident.

ABSENT: Brad Merkel, Clerk

**CALL MEETING TO ORDER IN OPEN SESSION**

***6:00pm: Meeting called to order.***

MINUTES FOR April 29th (Open and Executive BOS Sessions), May 29th/ July 8th/ July 29th Open BOS Sessions for approval.

***Motion to approve the minutes of the April 29th Open BOS Session for approval made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

***Motion to approve the minutes of the April 29th Executive BOS Session for approval made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

***Motion to approve the minutes of the May 29th Open BOS Session for approval made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

***Motion to approve the minutes of the July 8th Open BOS Session for approval made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

***Motion to approve the minutes of the July 29th Open BOS Session for approval made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

ZEO, NICK THOMO- discussions regarding properties with Zoning violations. Requesting use of Town Counsel for legal action. (Agenda item 3)

Mr. Sickenberger asked if we could combine Agenda items 3 and 4, which was agreed upon as they related to each other.

Zoning Enforcement Officer/Board of Health to address concerns brought forth re: Lake Shore Dr. Ext. – (Agenda item 4)

Mr. Thomo explained that he has issued 5 citations to 5 different properties via the police and no action has taken place from any of the landowners. He explained that the next course of action was to take them to court for compliance of contempt with the use of Town Counsel. He further explained that he has been using the same format in Brookfield (where he is also the ZEO) and the Town has been successful in getting good results. The Zoning Bylaws are similar to West Brookfield's as well. Mr. Thomo added that multiple citations at a property do not have to be issued prior to that landowner is taken to court and that the owner cited has 30 days to appeal with the Zoning Board of Appeals. A fine of $50/day can be issued after that through the courts.

Mr. Sickenberger indicated he was concerned the Zoning Bylaw is not strong enough to take them to court.

Attorney Mr. Garland asked to make a public comment – He explained that he was representing Ms. Shea, whose property is adjacent to one of the cited properties (Shea Rd.) at tonight's meeting. Various vehicles, construction equipment, trailer, boats, camper, etc. have been dumped at this address. Mr. Garland further explains that the anti-dumping bylaw passed by West Brookfield has been in effect for the last 50 years and feels it reads as clear as it gets. Mr. Thomo added that if a person wanted to use their property as a dump, they can if they get permission from the State or approval through Board of Health.
Mr. Simeone concurred that the bylaw is clearly being violated. Mr. Garland added that he would advise filing with Worcester Superior Courts vs. Boston Land Court.

Ms. Lamica would like the Town to be consistent in its processes. Mr. Thomo will contact Legal Counsel to discuss the Town's standing with our bylaws, the Zoning infringements and an approximate cost for the Town to pursue legal action.

***Motion to authorize the Zoning Enforcement Officer to contact legal counsel to request an estimate of what the cost would be and to move forward with enforcement on the properties discussed made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

ALEX FLORENCE/Board of Health disclosure for acceptance – Ms. Cofske explained that BOH will not be at the meeting tonight. This disclosure was to do some work with the Town Clerk's property, should she need BOH's assistance. This would not have to come before the Board of Selectmen as the Board of Health doesn't report to them and staff are not appointed by the Board of Selectmen. The Town Clerk was also filing her disclosure, but as an elected official, this would be filed with the Town Clerk, which is within the same office. Ms. Cofske explained that she wanted you to be aware, so if anyone asked any questions, you knew about it. That's all.

theACORNS.ORG letter of support for Oakham to fight a 180 MW Battery Energy Storage System (BESS) facility in Oakham – The group theACORNS.org is looking for support for the Town of Oakham in their fight against a BESS being installed there.

It was noted that other local towns have also been identified for potential locations for a BESS and that although West Brookfield is not in the Quabbin water system Mr. Brown felt that we should be concerned and aware of what is happening as the state wants 1000 milliwatt target by 2025 and 2055.8 gigawatt of energy storage. Mr. Brown also explained that the Massachusetts Energy Facilities Siting Board's authority can still waive the Town's bylaws and install a BESS, even if the Town didn't allow it. Mr. Brown feels we should also strengthen our Solar bylaw as it has some holes and perhaps add a bylaw, which would state that if we are going to have a BESS, then we determine where it would be.

Ms. Cofske explained that the letter she crafted included a comment that the adjacent properties of the potential BESS sites are all owned by DCR and this most likely was not an accident. There is also concern that well water in Oakham could become contaminated. It was agreed that the Town support theACORNS.org with a letter of support. Mr. Sickenberger added that he would accept a motion to sign a letter of support.

***Motion to authorize the Town Administrator to move forward with a letter of support for the Town of Oakham made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

AUTHORIZATION for the TOWN ADMINISTRATOR TO APPROVE AND SIGN AP AND PAYROLL WARRANTS on behalf of the Board of Selectmen in their absence –

***Motion for the authorize the Town Administrator to approve and sign the AP and Payroll Warrants on behalf of the Board of Selectmen in their absence made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

AMENDMENT TO STRUCTURE OF CABLE ADVISORY COMMITTEE CHARGE - The committee wanted to add an alternate member in addition to the 3 they already have. This member would only attend meeting and be a voting member if they were replacing someone who couldn't make a meeting. Mr. Sickenberger asked if this agenda item could be tabled until the next BOS meeting when Mr. Lapenas could attend.

AMENDMENT TO APPOINTED ZONING BOARD OF APPEALS ALTERNATE MEMBER – Ms. Gobeille indicated that there was a spelling error in the member's name, which needed to be corrected.

***Motion to appoint Dick Ullman to the Zoning Board of Appeals as an alternate member made by Ms. Lamica. Second by Mr. Sickenberger. All in favor, aye (2 yes).***

LLA ACCEPTANCE OF THE (M.G.L. 138 Section 12D) FOR ALLOWING WINE/MALT LICENSE to CONVERT TO All ALCOHOL LICENSE – Discussion re: we only have 1 current wine/malt on premise license holder. Significant costs/procedures to the license holder to convert. Ms. Gobeille to sit in on ABCC meeting re: this.

The Select Board has acknowledged that wine/malt on premise license holders can convert to an all-alcohol liquor license and that if the Town agrees to it, we are to let ABCC know in writing.

***Motion made to state that the West Brookfield Select Board acknowledges and is aware of the new M.G.L. 138, Section 12D allowing Wine and Malt on premise retailers to convert to an All-Alcohol License made by Ms. Lamica. Second by Mr. Sickenberger. All in favor – aye (2 yes).***

AQUARIDERS OF HOLLAND OFBA PERMITS FOR PRACTICE/SHOW ON AUG. 29TH/30TH – Event is same as last year.

***Motion to approve Aquariders of Holland OFBA permits for practice, August 29th and show, August 30th on Lake Wickaboag made by Ms. Lamica. Second by Mr. Sickenberger. All in favor, aye (2 yes).***

TOWN SNOWPLOW CONTRACTOR APPLICATIONS – Ms. Cofske is helping Highway to develop packets to use year after year. Positions will be posted soon online and, in the newspaper, etc. to get someone in place. These positions are exempt from 30B procurement and don't have prevailing wage, as Town has a population under 5000.

DISPOSAL OF SURPLUS INVENTORY – Ms. Gobeille explained that the Town has surplus metal map cabinets, which could be sold. Other old metal file cabinets and drawers can be scrapped. Looking for vendors to pick up and scrap all surplus metal indicated and not sold.

***Motion to dispose of surplus items: 3 drawer file cabinets, 4 drawer file cabinets, 2 map drawer cabinets and 8 index card drawers made by Ms. Lamica. Second by Mr. Sickenberger. All in favor, aye (2 yes).***

Mr. Sickenberger asked about getting rid of the fire trucks – Ms. Cofske mentioned that we will be able to get rid of one of the trucks soon and the SUV will be marked up soon.

Parking lot, Town Hall – Ms. Cofske explained difficulties in parking behind Town Hall. Will meet with Police and Fire Depts. about cleaning up the lot, having a designated location for police to depart in an emergency.

LIFEGUARD/BEACH MONITOR ALTERNATE POSITIONS FOR TOWN BEACH - It was explained that we need alternates, should either the Lifeguard or Beach Monitor not be available to work. These positions will be required next year as well and all positions will be advertised prior to the beach opening. We had 2 candidates, Ethan Salvador and Aidan Butler, who were both interested in the alternate positions.

***Motion to appoint Ethan Salvador and Aidan Butler as alternates for the Town Beach Lifeguard and Beach Monitor positions made by Ms. Lamica. Second by Mr. Sickenberger. All in favor, aye (2 yes).***

TREASURY WARRANTS -

***Motion to ratify the approval of FY26 AP Warrant #3 and FY26 Payroll Warrant #3, FY26 Warrant MVX Refunds JULY, as presented made by Ms. Lamica. Second by Mr. Sickenberger. All in favor, aye (2 yes).***

***Motion to approve FY26 AP Warrant #4 and FY26 Payroll Warrant #4, as presented made by Ms. Lamica. Second by Mr. Sickenberger. All in favor, aye – (2 yes).***

TA REPORT -

Green Communities – All of the projects have been completed. Will work with CMRPC on the final reporting that's required to go to DOER. Would then like to apply for the Competitive Grant again. HVAC system needs to be replaced, along with a compressor. This will be a costly job, but it needs to be done. These grants can go up to $250,000. Deadline will be November for submission. We have additional items, which could be included in this grant application.

Town Exterior Restoration project – Communication problems with Project Manager, copied Select Board to make them aware. It was agreed that answers are required within 48-hours on all change orders, etc. from all parties involved. We also have roof leak issues, will band-aid to stabilize the roof before work commences on exterior of the building. A structural engineer will be needed for assessment.

Solar Pilots –

Pure Sky/Cronin – Will work on pilot agreement soon. Will work on megahertz amount higher.
Beaman/Coy Hill – some movement now on this

Leland Rd. Water Project – Everything had been submitted. It has gone through regional review, but is now with D.C.

School Superintendent meeting –

WB Elementary School project – doors/windows. MSBA will require Town to vote on entire cost at Town Meeting. Would like to use the school to send out information to parents, as it's public information.

Rt. 9 costs – Excess legal/engineering costs for Phase III.

Debt Exclusion possibilities for projects/short term borrowing – meeting in Sept. with financial depts.

Asst. TC – This new position was voted on, approved and eliminated the 2 previous roles. Union has removed the Asst. TC role due to level of confidentiality required. Jillian to address this position with the Board. Internal posting at first, then will post outside if needed.

Cable TV – meeting next week with Charter, their counsel, Government Affairs rep and Charter's counsel.

Arrest/Jail Diversion Grant – Meeting with Hardwick Police Chief and Chief Hagglund to go over what's missing. Rolling grant with no time limit. Full-time clinician position for multiple towns.

Aquatic Invasive Species – 12 hours were approved in 2024 from CMRPC. Approved by Planning Board as well. Could position ourselves for a decent Earmark.

OTHER BUSINESS –

War Memorial Committee – Committee still exists, but no current members. Would like to reactivate committee and advertise on Town website for members.

***7:50pm - Motion to adjourn the meeting made by Ms. Lamica. Second by Mr. Sickenberger. All in favor, aye – 2 yes.***

Authorized Party for the BOS Date/Time 9/2/25 4:16pm

BOS Clerk Date/Time 9/2/25 @6:05pm.