

MINUTES

BOARD OF SELECTMEN REGULAR MEETING THURSDAY, MAY 27, 2010 7:30 P.M. SHOVE BUILDING CONFERENCE ROOM

Present: Gerald Stomski, First Selectman
Barbara K. Perkinson, Selectman
George Hale III, Selectman

Also Present: Leesa Peters; Democratic Town Committee, Tom Arras; about eight townspeople and Jamie Cura; VOICES.

1. Call to Order

Selectman Stomski called the regular meeting of the Board of Selectmen to order at 7:31 PM in the Shove Building Conference Room.

2. Pledge of Allegiance

3. Privilege of the Floor

Leesa Peters came forward and read from a statement she had prepared. She referenced the appointments to the Economic Business Development Committee, stating the appointments were in violation of the Charter, specifically Section 605, pertaining to minority representation. To remedy the minority representation, the Democratic Town Committee will recruit additional registered Democrats and Unaffiliated to the Commission. Adding two members would remedy the requirement situation. She also stated no action by the Commission should take place until the requirement is met.

Tom Arras stated he received from Deb Tietz, Board of Finance Chairman, in response to his FOI request, information about conveyances of property, specifically the Old Senior Center, Connelly, Crawford and the Pezzo properties. Mr. Arras felt there was a major lapse; the Charter cannot be violated and pretend this did not happen. We cannot reverse history. The lawyers want the Pezzo property to go away. Two of the Board of Finance members were on the Charter Revision Commission. He quoted the Board of Finance minutes of May 12, 2010 noting that an analysis will be done. Section 704D was referenced, specifically the first line "Any payment made in violation of the provisions of this Charter shall be deemed to be illegal and each...." He called on the seated Board of Selectmen to honor the Charter. Mr. Arras believed it had not been followed and now the Town is out \$68,000. The First Selectmen ran on a campaign saying he would follow procedure. Also, the initiation of the old Senior Center must be done by the Board of Selectmen.

4. Approval of Minutes

MOTION: Selectman Perkinson moved and Selectman Hale seconded approval of the minutes of the regular meeting of May 13, 2010 as presented.

UNANIMOUSLY APPROVED.

MOTION: Selectmen Perkinson moved and Selectman Hale seconded to add Donations to the agenda. **UNANIMOUSLY APPROVED.**

5. Donations

Selectman Stomski told the Board about three proposed donations received. The first was from the Red Barn Thrift Shop in the amount of \$300 to be put toward the Town of Woodbury, Elderly Fund, Special Revenues. The second comes from the Region 14 Music Fund for Park and Recreation Summer Concert Series in the amount of \$400. The third donation comes from Hilary and William Fuller, in the amount of \$100 for assistance for lost dogs which will be put in a special fund with Animal Control.

MOTION: Selectman Perkinson moved and Selectman Hale seconded to accept donations as stated above. **UNANIMOUSLY APPROVED.**

6. Appointments / Resignations

a. Economic Business Development Committee (C. Adsitt)

As a point of order it is duly noted that Catherine Adsitt is not an electorate on the Economic Business Development Committee, she is a member of staff.

MOTION: Selectman Hale moved and Selectman Perkinson seconded to remove Catherine Adsitt's name as a member of the Economic Business Development Committee, as she is a member of staff. **UNANIMOUSLY APPROVED.**

First Selectman Stomski noted that since Janet Morgan, Fire Marshal, can now issue parking tickets, an appeal procedure is necessary. Brooks Titcomb has offered to be the hearings officer.

MOTION: Selectman Perkinson moved and Selectman Hale seconded to appoint Brooks Titcomb as Hearings Officer, pursuant to Section 14-150, for parking tickets, effective June 1, 2010, serving at will. **UNANIMOUSLY APPROVED.**

Marion Griswold has submitted her resignation from the Historic District Commission as she is spending more of her time in Massachusetts.

MOTION: Selectman Hale moved and Selectman Perkinson seconded to accept the resignation of Marion Griswold from the Historic District Commission with regrets.
UNANIMOUSLY APPROVED.

The name of Jeffrey Sherman has been presented to the Board of Selectmen to serve on the Conservation Commission to fill the vacancy left by Larry Pond. First Selectman Stomski said Mr. Sherman was well qualified and stated his qualifications.

MOTION: Selectman Hale moved and Selectman Perkinson seconded the recommendation to appoint Jeffrey Sherman to the Conservation Commission to fill the vacancy left by the resignation of Larry Pond.

Discussion: Selectman Perkinson asked if the position had been posted in the newspaper for solicitation. Selectman Hale stated he did not know when the vacancy occurred, but thought it was about one year. First Selectman Stomski asked if the motion should be tabled until the position could be posted. It could be posted in the newspaper and on the website.

MOTION: Selectman Hale moved to withdraw his motion. Selectman Perkinson seconded.
UNANIMOUSLY APPROVED.

Selectman Hale asked if there was a policy on how long vacancies could be left open.

7. Bids and Contracts Awards

First Selectman Stomski informed the Board about a request from Department of Public Works for catch basin and pipe cleaning services to the Town. The program is mandated by DEP. Five responses were received for review. The Department recommended the bid submitted by PYE, in the amount of \$90 per hour. They were the cheapest.

MOTION: Selectman Perkinson moved and Selectman Hale seconded to accept the recommendation from Department of Public Works and award the bid to PYE, the lowest bidder, for catch basin and pipe cleaning. **UNANIMOUSLY APPROVED.**

The second award refers to a plan to prepare an as-built plan of the Woodbury Transfer Station/Recycling Center, requested by Connecticut DEP. This request pertains to that portion of the property funded through the STEAP Grant. A map must be also prepared noting existing conditions. Department of Public Works recommends DeCarlo and Doll to do the work and acceptance of the quotation. The proposed payment is \$2,500 and \$2,900 respectively for the "as built" and necessary field work to update maps.

MOTION: Selectman Perkinson moved and Selectman Hale seconded to approve the recommendation from Department of Public Works and award the bid to DeCarlo and Doll to prepare the plan for the transfer station and update maps, required by DEP in the amount of \$2,500 and \$2,900 respectively.
UNANIMOUSLY APPROVED.

The next bid has to do with road salt, also a recommendation from Department of Public Works, to continue its policy entering into an agreement with Connecticut DAS for the purchase. This is a negotiated price through the State bid sheet, guaranteeing the unit cost for Fiscal Year 2010-2011 for the amount of road salt specified. Estimates of 800 tons bulk rock salt and 500 tons of pre-treated bulk rock salt was recommended by Mr. Monckton.

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MOTION: Selectman Perkinson moved and Selectman Hale seconded to approve the recommendation from the Department of Public Works to enter into an agreement with Connecticut DAS for the purchase of road salt at the negotiated cost, per the bid sheet. **UNANIMOUSLY APPROVED.**

8. Old Business

Referral from the Traffic Authority

The Board received a recommendation from Jennifer Miller regarding work on the North Green. The Town Planner recommends that changes be made in steps. A meeting will be held June 15, 2010 at 7:00 PM for informational purposes, specifically for those residents affected by the proposed changes. Notice will be given to the residents in the area.

Pezzo Property

The attorneys feel it is necessary to move forward on this issue and get a written analysis done which would be forwarded to the Board of Finance for review. First Selectman Stomski noted that the presentation at the Town Meeting was deficient; the situation was not explained properly. The issue should be brought before the Town Meeting again; the Town Attorney has a different view of this. Mr. Stomski said he would like a different attorney to look at the situation, get a different legal opinion. Currently there is no litigation pending, nothing pressing. Ultimately the conveyance of the property should be accepted by the Town. The other option is if this fails, the Town needs to give the property back to Mr. Pezzo plus settlement. Selectman Hale stated he agreed with First Selectman Stomski. He met with Mr. Hinckley and Mr. Bartlett and they agreed that the history was not explained properly, originally. The Town needed to support the acceptance of the property. Another legal firm that the Town already uses could review this. Mr. Stomski said he did not want to be a legal test ground on this one; we want the process to go forward and to have closure. The previous Board of Selectmen had the authority to enter into the agreement but the presentation was faulted. It's best to get the best legal possible to move toward closure.

Annex Property

First Selectman Stomski reported that a matrix is being prepared as to what Town buildings need what. During June, July, the Commission will come together to look at the space needs. The condition of the Annex, the roof, heating, etc. will be reviewed. The matrix will be ready at the next meeting. Selectman Hale asked if the ripple effect was being looked into if the Town does not renew the lease or purchase the building. Where will those offices go? Those questions need asking. We have this year and next year to look into this, observed First Selectman Stomski, there is also uncertainty as to how the Annex property could be broken up. Further discussion on this topic was tabled.

Discussion of Private Duty Officers

At the last meeting this topic was discussed. It was agreed to increase the hourly rate and increase the administration fee to 10%. A question was raised as to the Town's Police pension affected by the base pay. Yes, there is an effect on the pension. Why should the taxpayer have to pay to pension in this case? For that reason, it should be considered to increase the

administration fee to 13%. Should 15% be considered? After further discussion it was decided to discuss this topic with the Fiscal Officer and get an accurate percentage.

Rank of Corporal

First Selectman Stomski said he spoke with Sgt. Rafferty who wants the rank included. Mr. Stomski said he saw and understood the merits, but there is the concern about the costs. If the program is instituted at the low range of \$500 for a year this would be a place to start. Selectman Perkinson said she saw the need for the rank to get the Police work done in town and to cut down on the overtime, \$500 is OK for now. When the contract is renewed this could be reconsidered. We're making an effort to see if this works. Selectman Hale suggested that Sgt. Rafferty speak before the Board of Finance and see what they think. Selectman Hale said he was willing to spend money to save money but was concerned about assessing the situation properly. First Selectman Stomski summed up the discussion by saying that the Board of Finance should make a recommendation after Sgt. Rafferty makes a presentation to them.

Charter Revision Commission

First Selectman Stomski will meet with the Commission to discuss the Selectmen's concerns, comments and questions.

Tax Abatement

First Selectman Stomski said there was nothing to report yet.

9. New Business

There was none.

10. Correspondence

There was none.

11. Adjournment

MOTION: Selectman Perkinson moved and Selectman Hale seconded to adjourn the meeting at 8:17 PM. **UNANIMOUSLY APPROVED.**

FILED SUBJECT TO BOARD APPROVAL

Respectfully submitted,

Linda Leigh
Clerk, Pro Tem