

Board of Selectmen
Town Office Annex
August 1, 2007
Regular Meeting Minutes

Selectmen present: Brad Parker, Randy Dill, and Peter Govert.
Also present: Emmett Lyman, Mark Walter, and Sharon Wheeler.

1. The meeting was called to order at 7:30 p.m. by First Selectman Parker and the attendees said the Pledge of Allegiance.

2. Approval of Agenda: Motion made by Mr. Dill, seconded by Mr. Govert, to approve the agenda as written. Unanimous aye. Mr. Dill noted that there were several additional items that he would bring up during Selectmen's Discussion.

3. Approval of Minutes:

Special Meeting of July 18, 2007: Mr. Govert requested that the following revision be made:

- Page 3, item 7.A. (Old Business, 4-8 Middle School Discussion): the word "*daily*" in the second sentence of the 4th paragraph should be changed to "*frequent*".

Mr. Dill requested the following revisions:

- Page 3, item 7.A. (Old Business, 4-8 Middle School Discussion): the word "*wind*" in the second sentence of the first paragraph should be changed to "*wing*".
- Page 5, item 7.F. (Old Business, Elderly Tax Relief): add the following at the end of the first paragraph: "*Mr. Parker agreed to pass along Mr. Dill's suggestion to the Board of Finance*".
- Page 12, item 10 (Selectmen's Discussion): revise the first sentence of the second paragraph to read, "*Mr. Dill stated that word has gotten out about the "working-weekends", and Mr. Mackenzie advised him that he was never told about the possibility of working on Sundays and that he would look for another job if that were required*".

Motion made by Mr. Dill, seconded by Mr. Govert, to approve the minutes of the Special Meeting of July 18, 2007 as amended. Unanimous aye.

4. Correspondence: Mr. Parker called the Selectmen's attention to the following correspondence that was included in their meeting packets:

- A letter from the Connecticut Department of Transportation, dated July 17, 2007, indicating that the DOT, "...is developing plans to replace the existing steel plate arch pipe located on Route 151 (Moodus Leesville Road) in the town of East Haddam". The letter also stated, "... construction will start no sooner than spring of 2009, assuming acceptance of the project...".

- A copy of a letter from Town Attorney John Bennet, dated July 25, 2007, addressed to Whitney Talcott, Kaestle Boos Associates Inc., concerning an error in the electrical specifications that would result in approximately \$95,000.00 in additional cost. Attorney Bennet's letter noted it was sent, "... to advise that the Town of East Haddam will look to Kaestle Boos Associates, Inc. to protect the School Building Committee and the Town of East Haddam from any losses as a result of this error in specification submitted through your offices".

5. First Selectman's Report: Mr. Parker reported on the following items:

- The first two Music on the River concerts have been held, although the first concert was performed indoors because of inclement weather. Mr. Parker advised that the second event was held outdoors and the Goodspeed site worked out well. He stated that there was plenty of space for parking and he had received many positive comments about the event. In response to a question from Mr. Govert, he noted that approximately 400 people had attended the second concert.
- He has been in touch with the Beta Company regarding the road survey project. They advised him that they have finished inspecting and documenting all of the paved roads in town and would be starting work on the unpaved roads shortly. He noted that the project was going smoothly and was on schedule.
- The weekend newspaper published an article providing a statewide summary of the results of the CMTs, which indicated that East Haddam placed 48th out of 169 towns. Mr. Parker noted that East Haddam's scores were consistently above the State average. In response to a question from Mr. Govert, he stated that the article did not contain any information regarding the results of the CAPTs.
- Earlier in the day, he and Mr. Thumm had participated in a site review of the Transfer Station with representatives from the Town's insurance carrier. Mr. Parker reported that the insurance representative was impressed with the facility and noted that it was well maintained and in good order. They had made a few suggestions regarding signage and re-doing some yellow caution lines, however, found no major problems. Mr. Parker advised that the carrier would provide a written report, which he would share with the other Selectmen. Mr. Govert suggested sharing a copy of the report with the Transfer Station committee. Mr. Parker agreed to do so.

6. Citizen's Concerns: No citizen's concerns were discussed.

7. Old Business:

A. 4 - 8 Middle School Discussion: Mr. Govert noted that he had notified the School Building Committee via e-mail that he was continuing to follow their progress through the minutes of their meetings and several acknowledged their appreciation of his doing so. Mr. Dill stated that he had noted in the most recent minutes that there were a number of comments by Mr. Gibson expressing concern about KBA continuing to work with the electrical contractor after they substantially under-estimated the cost for the outside lighting. In response to a question raised by Mr. Dill, Mr. Parker confirmed that Attorney Bennet's July 25th letter to KBA was intended to

reserve the Town's right to look to KBA to absorb the additional expense. Mr. Govert reiterated that he felt the Building Committee was doing a good job and being vigilant.

B. Goodspeed Update: Mr. Parker confirmed that the meeting with the Goodspeed representatives was scheduled for the following morning. Mr. Dill referenced an email from Hattie Kittner to the EDC Commissioners advising she and Mr. McMahon would not be able to attend EDC's August 3rd meeting and that, "...*there is nothing new to report*". He asked, in light of that comment, if there would be anything to discuss at tomorrow's meeting. Mr. Parker advised that the Goodspeed representatives met more recently with the EDC Commissioners and that he expected them to provide the Selectmen with an update on Mr. Pinnell's work.

C. Ethics Policy: Mr. Parker advised that they would have to reschedule the meeting with Attorney Wells and he would coordinate a new date and time with the Selectmen after tonight's meeting.

D. Potential Open Space Acquisition – Patrell Parcel: Mr. Parker explained that the board would need to act on the resolution for the agreement with the Nature Conservancy and then act on the resolution for the purchase of the land.

Motion made by Mr. Govert, seconded by Mr. Dill, to approve and authorize the First Selectman to execute the underlying agreement:

“RESOLVED, that the Board of Selectmen of the Town of East Haddam hereby authorize the First Selectman to execute a certain Agreement between the Town of East Haddam and the Nature Conservancy of Connecticut, Inc., pursuant to the participation of the Town and the Conservancy in the acquisition of forty five (45) acres, more or less, and being Lot 10, Map 31 in Lyme, and being Lots Nos. 1, 3, 4, 5, and 6 on a subdivision map entitled, “Subdivision Plan and Site Development Plan Property of Sandy Associates, Baker Lane, East Haddam, CT, Dated May 27, 1993, Rev. July 15, 1995 and June 21, 1998”, prepared by Angus McDonald, together (the “Property”) from Sandy Associates, LLC, Brandy Associates, LLC, Connecticut Limited Liability Companies, acting by and through their Managing Member, Christopher T. Patrell provided that the performance of such Agreement is contingent upon the approval by the Board of Selectmen, Board of Finance, and the Planning and Zoning Commission under CGS § 8-24 as well as a Town Meeting all as provided for in said Agreement.

Unanimous aye.

Mr. Parker noted that the next step would be to approve the purchase.

Motion made by Mr. Dill, seconded by Mr. Govert, that the Board of Selectmen of the Town of East Haddam hereby adopts the following Resolution to be referred to the Board of Finance and Planning and Zoning Commission for approval and referral to the town meeting for approval:

“RESOLVED,

1. That the Town Meeting hereby appropriate the total sum of Three Hundred Ninety Five Thousand (\$395,000.00) Dollars, which includes the Towns portion of closing costs from the Undesignated Fund Balance, as recommended by the Board of Finance, for the acquisition of a One Hundred (100%) percent interest in that piece or portion of land actually located in East Haddam of certain property known generally as forty five (45) acres, more or less, and being Lot 10, Map 31 in

Lyme, and being Lots Nos. 1, 3, 4, 5, and 6 on a subdivision map entitled, “Subdivision Plan and Site Development Plan Property of Sandy Associates, Baker Lane, East Haddam, CT, Dated May 27, 1993, Rev. July 15, 1995 and June 21, 1998”, prepared by Angus McDonald, together (the “Property”) from Sandy Associates, LLC, Brandy Associates, LLC, Connecticut Limited Liability Companies, acting by and through their Managing Member, Christopher T. Patrell and/or successors and/or assigns in participation with the Nature Conservancy of Connecticut, Inc., and for payment of seventy (70%) percent of related closing costs, all pursuant to a certain Option Agreement for the purchase of real estate between the said Sandy Associates, LLC and Brandy Associates, LLC, and the Nature Conservancy of Connecticut, Inc. and the participation Agreement between the Town of East Haddam and the Nature Conservancy of Connecticut, Inc., dated July 19, 2007, and;

2. That the First Selectman be authorized to undertake all steps necessary to acquire One Hundred (100%) percent interest in that piece or portion of land actually located in East Haddam in the property described above from Sandy Associates, LLC and Brandy Associates, LLC., and;

3. That the First Selectman be authorized to apply for and undertake all steps necessary to apply for and obtain Open Space matching grant funds from the State of Connecticut or other sources to defray a portion of the acquisition price of the subject property; and;

4. That the First Selectman is authorized to execute all documents necessary to grant to the State of Connecticut and Open Space Easement on the subject property, and;

5. That the Board of Selectmen are authorized to undertake and participate in the acquisition, management and stewardship of the subject property in accordance with the agreement between the Town and the and the Nature Conservancy of Connecticut, Inc.
Unanimous aye.

E. Earth Charter Endorsement: Mr. Parker and Mr. Govert agreed that the language drafted by Mr. Dill concerning the Selectmen’s position on the Earth Charter was appropriate.

Motion made by Mr. Parker, seconded by Mr. Govert, that the East Haddam Board of Selectmen wishes to acknowledge and encourage the efforts of the Earth Charter in its mission of environmental protection, consistent with the laws, regulations and policies of our Federal, state and local governments. Unanimous aye.

There was a general discussion about communicating the Selectmen’s position to the Earth Charter organization and it was agreed that Mr. Parker would send a letter to the local chapter referencing the above motion. It was further agreed that Mr. Parker would not refer to the motion as an “endorsement” in his letter.

F. Middle School Conversion Committee: Mr. Parker reported that formation of the Middle School Conversion Committee had been approved at a Town Meeting on July 31st. He advised that, since the last Selectmen’s meeting, he has received additional applications and inquiries about the Committee. At his suggestion, the Selectmen agreed to delay appointing Committee members to allow additional time for applications to be submitted. There was a general discussion concerning how to select Committee members and Mr. Dill recommended holding a separate meeting to evaluate and discuss the applications. Mr. Govert suggested that the Selectmen may also want to interview some of the applicants.

8. New Business:

A. Senior Center Gift Acceptance - various: Mr. Parker reported that Stephanie Tatro had recently noticed that a number of donations that had come in for the Senior Center had not been sent to a Town Meeting for acceptance. He called the Selectmen's attention to a list of donations that was included in the meeting packets and stated that the Selectmen would have to pass a motion to accept the donations and send the acceptance onto the Board of Finance before the matter could be sent before a Town Meeting. In response to a question from Mr. Dill, Mr. Parker advised that the list was marked "*Not for Public Information*" because a number of the donors had requested their donations be kept anonymous.

Motion made by Mr. Govert, seconded by Mr. Dill, to accept donations in the amount of \$6,753.00 for the Senior Center Building Fund, and send acceptance of donations to the Board of Finance and then to Town Meeting for approval. Mr. Dill advised he would like to have a discussion on this item before the Selectmen voted.

Mr. Dill noted that several of the donations went back as far as 2005 and expressed concern that they had not been included in any of the budget discussions. Mr. Parker stated that the donations had been made for specific tangible purposes; they were not intended to be for operating expenses and would not, therefore, have been part of the budget discussions. He also noted that the Committee on Aging was kept informed of the donations and that the money was deposited into the Building Fund. Mr. Dill stated that, even so, he was concerned about the apparent lack of oversight and the lack of information provided to the Board of Finance during budget deliberations.

In response to Mr. Govert's question about how to handle similar issues going forward, Mr. Parker advised that there was a documented procedure, created by the auditors, on how donations were to be handled and stated he would provide the Selectmen with a copy of the written procedure. Mr. Dill also requested the list of donations be expanded to include detail about any specific purpose the donors had earmarked their contribution for, if anything. Mr. Parker agreed to provide that information.

In response to a question from Mr. Govert, Mr. Parker advised that, going forward, he did not anticipate donations to be made for operating expenses and that the issue at hand was about contributions made during the building of the Senior Center for furnishings and other tangible items. He noted, however, that future donations, for operating expenses or any other purpose, should follow the established procedures.

Mr. Parker and Mr. Govert voted in favor of the motion; Mr. Dill voted no. Motion was passed by a majority of votes.

B. Dog Pound Gift Acceptance – various: Mr. Dill stated that he had the same concerns with the donations received for the Dog Pound as he had with the Senior Center donations. He inquired about the purpose of the donations and Mr. Parker advised that the donations had been used for facility improvements and tangible goods such as collars and leashes so that volunteers could walk the dogs. In response to a question from Mr. Govert, Mr. Parker advised that requests for funds for such items would have to be made by the Dog Warden and would go through the Finance Office.

Motion made by Mr. Parker, seconded by Mr. Govert, to accept donations in the amount of \$1,030.00 for the Dog Pound Improvement Fund, and send acceptance of said donations to the Board of Finance and then to Town Meeting for approval. Mr. Parker and Mr. Govert voted in favor of the motion; Mr. Dill voted no. Motion was passed by a majority of votes.

C. Volunteer of the Month – July: Mr. Parker called the Selectmen’s attention to a letter from Dot Woel, recommending that Bill and Cele Delehanty be named Volunteers of the Month, noting their long time involvement in the Lion’s Clubs, Meals on Wheels, and the Flu Clinics.

Motion made by Mr. Dill, seconded by Mr. Govert, to name Bill and Cele Delehanty as volunteers of the month for July 2007. Unanimous aye.

D. Tax Refunds: Mr. Parker called the Selectmen’s attention to one tax refund.

Motion made by Mr. Govert, seconded by Mr. Dill, to award a tax refund in the amount of \$162.29 to Fredrick K. and Katherine A. Klein. Unanimous aye.

9. Public Comment: There was no public comment.

10. Selectmen’s Discussion: Mr. Govert advised that he had received several emails regarding the proposed Elderly Tax Relief program. He stated that one citizen, in particular, had indicated that she felt the \$60,000.00 income ceiling was high, especially for citizens without dependents. Mr. Govert, reiterated his support for the program, however, he recommended that the Town should proceed cautiously to avoid a negative perception.

Mr. Parker stated that he had also received some of the emails and he advised that he was forwarding them on to the Board of Finance. Mr. Dill stated that there are a number of Connecticut towns that were evaluating similar tax relief programs. He also noted that the list of East Haddam property owners that qualify from some type of tax relief was expanding and stated that the Town needed to remain cognizant of the burden that could be placed on the remaining property owners.

A. Public Works – Roads: Mr. Dill requested a follow-up discussion on the Day Hill Road issue. He advised that Mr. Sosnoski had expressed his concerns about the culvert on Day Hill Road to Mr. Thumm but when Mr. Dill asked him about the issue, Mr. Thumm said that he did not know anything about the culvert problem. Mr. Parker advised that he had visited the site twice: once by himself and, earlier in the day, with Mr. Thumm. He advised that there was a 30-foot strip along the side of the road with a 4-foot drop that created a safety concern. He noted that the work that had been done in that area was an overlay rather than a road reconstruction. He advised that the gulley was built-up with riprap, brought up to road level, and a grate to the drainpipe was installed. During the work, Mr. Sosnoski observed the deterioration in the culvert.

Mr. Parker stated that it was Mr. Thumm’s opinion that the pipe should not have been installed and the alternative of piping the runoff down the right side of the road was cost-prohibitive. In response to a request from Mr. Dill, Mr. Parker agreed to put together a report of the cost of repairs to that area. Mr. Dill expressed concern that the Town has invested in repairs to the road while the culvert was still at risk of collapsing. Mr. Parker stated that the repairs have drastically improved the road and it was much safer now. Mr. Dill stated that he felt it was questionable whether or not the road was safer now and noted that he has concerns about how the Town deals

with deteriorating culverts. He noted that the Town took the same approach of paving over the culvert on Tater Hill Road. Mr. Parker advised that there were different circumstances in the two roads and did not feel the comparison was appropriate.

Mr. Dill agreed with Mr. Govert that the goal was to do the best job to make the roads safe in the most economical manner.

B. Town Employee Cell Phones: Mr. Dill advised that he has received some complaints about Town officials not providing residents with timely information regarding their building projects and asked if the officials' cell phone numbers could be made public. Mr. Parker stated that he was aware of Mr. Dill's issue and had spoken with the employees involved. He advised that he felt the issue was resolved and should not occur again. Mr. Parker stated that the purpose for the cell phones was so the office could contact officials when they were out in the field and he was concerned about having the employee tied up with calls of an administrative nature if the numbers were made public. He also noted that he has talked with another town and they do not make their cell phone numbers public either.

Mr. Dill acknowledged that the cell phones should not be used to schedule appointments but stated that residents should be able to get in touch with the building officials when there was an immediate question that only they could answer. He stated that the complaints were not a criticism of the building inspector but rather of the process. Mr. Parker advised that he has received positive feedback about the inspector and Mr. Govert noted that he had not received any complaints about either the building inspector or the process. Mr. Parker reiterated that he felt that the issue has been resolved and in cases where there was an immediate need to speak with the building official that the secretary would contact the official in the field and he would then contact the person. Mr. Dill agreed to wait and see how this worked out.

Mr. Dill raised the following topics for discussion:

- He advised that the Eightmile Scenic River designation has passed the House and should be going before the Senate soon. He stated that it was not a unanimous decision, but that some of the Republicans that had previously voted against the measure had voted in favor of it this time.
- He had attended training to be an election moderator. He noted that the Town has two new computerized voting machines and that the old lever-type voting machines could no longer be used. He stated that the new machines must be stored in a secure location and Mr. Parker advised that the Secretary of the State has approved a specific cabinet type that can be used for that purpose and each town would be allocated \$1,000.00 for the purchase of same. He stated that East Haddam should have an approved cabinet in place in the next couple of months.
- In response to a question from Mr. Dill, Mr. Parker advised that he had spoken with Margaret Quinn recently and she had told him that the police have responded to her reports and she was satisfied with the results.
- He had read an article in the Hartford Courant that was written by a former Board of Finance member from the town of Avon. The article stated that negotiations between the

Board of Education and the teachers union should be open to the public. He stated that, at budget time, the Board of Education has generally stated that teacher salaries have been determined as part of the contract negotiations and could not be changed. Mr. Dill advocated for a more open process and recommended some type of public forum be initiated at which people could ask questions and provide input.

11. Adjournment: There being no additional business to discuss, a motion was made by Mr. Dill, seconded by Mr. Govert, to adjourn the meeting at 8:31 p.m. Unanimous aye.

Tape 535A
535B

Respectfully submitted,

Peter T. Govert, Secretary