

*Board of Selectmen's Meeting Minutes*  
*7:00 p.m., Monday, July 28, 2008*  
*3<sup>rd</sup> Floor Meeting Room, Town Hall*

**Meeting Minutes-Unapproved**

**Call to order and roll call**

Laura Francis called the meeting to order at 7:00 p.m. and led with the pledge of allegiance. John Szewczyk and James McLaughlin present.

**Approval of the agenda**

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO APPROVE THE AGENDA. ALL AYE

**Public comments**

Richard Parmelee spoke about the impressive operation and new fence that Melynda Naples installed at Deerfield farm. He wishes her well and commented that he would like to attend a Conservation Commission meeting to express this to the members.

R. Parmelee stated he would like to see the town, at Town Meeting, draft a resolution to re-align the school election process with the charter. Hugh Curley commented that the State Department of Education controls this. James McLaughlin agreed with Laura Francis that the town should go to the legislature to change.

**Request from Claudia Hill for permission to hold Lindsey Jo Haile Walk/Run/Roll event, Saturday, October 11, 2008, 11:00 am to 2:30 p.m.**

Claudia Hill was present and stated she has received permission from the Board of Education and has approval from the Volunteer Ambulance Corps and the Fire Dept; Harry Hall recommended she get in touch with members of the Explorers to help out at the event.

MOTION BY JOHN SZEWCZYK SECONDED BY JAMES MCLAUGHLIN TO GRANT PERMISSION TO CLAUDIA HILL TO HOLD LINDSEY JO HAILE WALK/RUN/ROLL EVENT, SATURDAY, OCTOBER 11, 2008, 11:00 AM TO 2:30 PM. ALL AYE

**Discussion of Tax Fixing per Section 12-65b**

Durham Tax Assessor John Philip was in attendance to discuss confusion surrounding a request for tax abatement from a buyer of a condominium, stating the statute does not address condominium usage. He prefaced the conversation by stating that whatever the Board decides the agreement needs to be very specific. He then explained his position by using an example of a Contractor who builds a new structure, applies for abatement, is eligible for and received abatement. The next year the same contractor splits the same structure into condominiums (parcels) and sells them. The new owner of this condo requests abatement for resale usage but is not eligible because once the parcel is purchased as a condo (transfer of property) the abatement is null. The Board of Selectmen was in agreement with J. Philip confirming that once the property it transferred the abatement is lost. L. Francis stated she would confirm this with Town Counsel.

**Discussion of Valley Shore Contract Agreement**

L. Francis stated she received an agreement from Valley Shore Emergency Communications, Inc. for the period of July 1, 2008 - June 30, 2013 and asked Scott Wright if he had any questions or concerns. S. Wright stated he continued to have a number of concerns. L. Francis asked about specific concerns. S. Wright stated he met with Valley Shore representatives a couple of years ago and has not had time to revisit the list but most were performance issues. He also stated he felt the town having their own dispatch was not plausible. J. McLaughlin asked if Middletown had a separate unit. S. Wright stated they worked with Portland and commented there were a number of advantages to be with a regional dispatch. L. Francis asked if anyone had seriously looked at another service. S. Wright commented no. S. Wright commented signing the contract would be a gesture of good faith but would not help standing issues. He

also stated the contract should have a 6 month termination clause which L. Francis confirmed it did. L. Francis recommended meeting with Valley Shore to work out issues.

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN AS A GESTURE OF GOOD FAITH TO APPROVE SIGNING AGREEMENT BETWEEN THE TOWN OF DURHAM AND VALLEY SHORE EMERGENCY COMMUNICATIONS, INC. FOR THE PERIOD OF JULY 1, 2008 THROUGH JUNE 30, 2013. ALL AYE

**Request from Diana Richter for permission to utilize town roads; Letter of Approval for CT, DOT Special Event Permit; Route 77 onto Route 17; for 3<sup>rd</sup> Annual Ride to End Hunger motorcycle charity ride, Sunday, September 14, 2008, 11:00 am to 1:30 pm**

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO DIANA RICHTER TO UTILIZE TOWN ROADS FOR THE 3<sup>RD</sup> ANNUAL RIDE TO END HUNGER MOTORCYCLE CHARITY RIDE, SUNDAY, SEPTEMBER 14, 2008, 11:00 AM TO 1:30 PM. ALL AYE

**Request from Danny Dix for permission to utilize town roads; Letter of Approval for CT, DOT Special Event Permit; Intersection of Rt. 77 N & Rt. 79 South; for 4<sup>th</sup> Annual Charity motorcycle ride to benefit The Hospital of St. Raphael's Children's Psychiatric Emergency Services Unit on Sunday, September 14, 2008**

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO DANNY DIX TO UTILIZE TOWN ROADS FOR THE 4<sup>TH</sup> ANNUAL CHARITY MOTORCYCLE RIDE TO BENEFIT THE HOSPITAL OF ST. RAPHAEL'S CHILDREN'S UNIT ON SUNDAY, SEPTEMBER 14, 2008, 11:30 AM TO 11:45 AM. ALL AYE

**Inland/Wetland Resignation**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ACCEPT WITH GRATITUDE THE RESIGNATION OF PATRICIA DYNIA FROM THE INLAND WETLANDS AND WATERCOURSES AGENCY. ALL AYE

**Approval of street name Stonebridge Drive**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPROVE STREET NAME STONEBRIDGE DRIVE PENDING APPROVAL OF CHIEFS FROM AMBULANCE AND FIRE DEPARTMENTS. ALL AYE

**Discussion of committee charge for the following: Senior/Community Center Needs Assessment Committee, Public Works Facility Renovation Committee and Grant Facilitating Committee**

L. Francis presented the Board with a charge for a Public Safety Facility Renovations Planning Committee as follows and asked for their comments.

Public Safety Facility Renovations Planning Committee

- The Committee shall consist of 9 members with the option for appointing more members if needed. Members will be appointed by the Board of Selectmen.
- The terms of office shall be for the duration of the project and until the committee is discharged.
- The Committee shall elect its own Chairman, Vice-Chairman and Secretary and shall establish a regular meeting schedule. All records of the Committee shall be filed with the Town Clerk and open to public inspection in accordance with applicable State Statutes.
- Members shall serve without financial compensation.
- The Committee shall not have a budget of their own, but may request funds for specific purposes through the Board of Finance and Board of Selectmen process.
- The Committee shall review prior studies regarding public safety renovations and space needs. The Committee shall consult with the Chiefs of Service of each public safety department.
- The Committee shall create biddable building plans to incorporate the Volunteer Fire Department, Volunteer Ambulance Corps, Emergency Management Department, Office of the Resident State Trooper and Fire Marshal on the current firehouse site, including town owned property adjacent to the firehouse.
- The Committee shall create an RFP to be managed by the town's Finance Director.
- The Committee shall participate in the Grant Application process as needed.
- The Committee shall interface with Town Hall management and staff during the planning process.

- Upon completion of the planning project, the Committee shall make a complete report and accounting to the Board of Selectmen.
- The Committee shall assist the Board of Selectmen in presentations at Town Meetings, Budget Meetings, Public Hearings, etc. as needed.

Both Selectmen felt the charge was adequate and asked about the make up of the committee. L. Francis stated she was hesitant to name chief of services because of time restraints but feels they would need to be available for consultation. J. McLaughlin commented he felt some of the former members of the Emergence Services Facilities Committee would be beneficial. L. Francis asked the Board to bring their recommendations to the next meeting.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO FORMATION OF PUBLIC SAFETY FACILITY RENOVATIONS PLANNING COMMITTEE. ALL AYE

**Discussion of Economic Development Commission suggestion to form working group to study uses for Lake Grove property**

L. Francis stated she attended the last EDC meeting and asked them to consider using some of their consulting money to study uses for Lake Grove. Hugh Curley was present with a map of the property and talked about the surrounding properties. L. Francis asked if it was zoned properly. H. Curley stated he thought if it wasn't rezoned to mixed use; light industrial commercial, it would bring objection. J. McLaughlin asked if the town should leave open the option of buying the land then change the zoning regulations. H. Curley suggested putting a committee together to study; use resources from the Department of Economic & Community Development; and a consultant. After discussion it was decided the make up of the committee would be (1) member from EDC, Planning & Zoning, Board of Selectmen, Inland/Wetlands, State Department of Economic & Community Development (as a regular resource, not a voting entity), Town Planner, and a representative of the property. L. Francis asked the Board to bring their recommendations to the next meeting.

**Fiscal Analysis for June 2008**

This fiscal analysis for June 2008 is as of July 25, 2008 and will continue to fluctuate until the audit is complete. Expenses and revenues for fiscal year 2007-2008 that are processed from now through the middle of August will be posted back to June. Until the audit is complete, the figures quoted in this memo are subject to change. A final analysis of fiscal year 2007-2008 will be provided to you once the year is closed out.

The Board of Finance did not meet in the month of July. A special meeting early in August will be held to approve transfers and carryovers.

As of July 25, 2008, the June 30, 2008 budget stands as follows:

	Original Appropriation	Additional Appropriations	Revised Budget	YTD	Balance
Expenditures	24,681,461	874,666	25,556,127	24,973,147	582,980
Revenues - not including Reserve Fund Transfers	24,681,461	0	24,681,461	24,890,118	(208,657)
Revenues- Reserve Fund Transfers		555,844	555,844	555,844	
			YTD Net Operations	\$472,815	

The difference between revenue and expense at year end is currently \$472,815. Of which, \$427,829 is expected to be requested as carryovers. This figure is primarily made up of the balance due on the new fire department apparatus. Therefore, a net of \$44,986 is anticipated to be added to the town's fund balance. This equates to an 11.1% undesignated fund balance as calculated against the current year

budget, an increase from last year's 10.86%. Keep in mind that these figures are all unaudited and therefore only estimates at this time.

There are currently 24 budgets that require additional appropriations at year end; of which 7 are public works. The bottom line in the entire public works department, however, has a balance of \$5,500. One budget in the Library is over for the year, but overall the library has a balance remaining of over \$7,000. Contingency could be used to cover a total of \$70,000 in 14 budget lines. Undesignated Fund Balance will be recommended to cover Recreation Expenses which has offsetting revenue and Tax Refunds which in not budgeted during the regular budget process. The following is a list of overages as of today; a complete reconciliation will be presented to the Board of Finance at its next meeting.

Dept. # and name	Amount over as of 7/25/08
<u>GENERAL GOVERNMENT</u>	
1010 Office of First Selectman	592.00
1013 Selectmen's Office Salaries	217.00
1022 Tax Collector Office Salaries	153.00
1030 Office of the Town Clerk	3,260.00
1031 Town Clerk Salary	34.00
1515 Town Counsel	10,191.00
1520 Building & Health	11,979.00
1526 Finance Dept. Staff Salaries	3.00
2010 Planning & Zoning	16,790.00
2500 Elections	317.00
2560 Town Hall Expenses	2,047.00
2562 Heating Fuel	3,436.00
4081 41 Main St. Environ. Cleanup	21,279.00
6030 Farmers' Market	285.00
<u>PUBLIC WORKS</u>	
3000 Street Lights	50.00
3006 Highway Wages	223.00
3007 Seasonal Wages	1,992.00
3008 Vehicle Maintenance	4,434.00
3009 Garage Maintenance	2,502.00
3013 Fuel	5,776.00
3016 Highway Sweeping	10,534.00
<u>LIBRARY</u>	
5004 Library Books & Media	2,203.00
<u>RECREATION &amp; OTHER</u>	
5505 Recreation Expenses	12,936.00
6010 Tax Refunds	40,934.00

Overall, the final analysis of the 2007-2008 shows the effect of closer budgeting. As each department analyzes and presents more precise budget figures to the Town, the amount of additional funds that are placed in our fund balance should be closer to zero. Since our fund balance is currently at recommended standards, this is a good practice for the Town to continue. Taxpayers should appreciate the fact that they are being taxed on just what is needed to balance the budget. When large projects are brought forward in the future, the Town can then plan on how to best fund them.

There are two noteworthy items in the Town's June 30, 2008 Balance Sheet as printed below. The Tax Collector account has been closed as of July 2008. All transactions that had been processed through that account are now being handled directly through the general fund.

The Water Utility Fund currently owes the General Fund a total of \$21,752. This amount is made up of the loan principal and additional transfers made to the Water Utility Fund to cover overages in its bank account. The Water Commission recently voted to charge its users with a one time special assessment in order to cover this liability. Once this balance is paid off, the Water Commission should be in good financial standing as long as they continue to review their budget and make appropriate fee adjustments.

MOTION BY LAURA FRANCIS SECONDED JAMES MCLAUGHLIN TO ACCEPT FISCAL ANALYSIS FOR JUNE 2008. ALL AYE

#### Tax refunds

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO APPROVE (25) TAX REFUNDS IN THE AMOUNT OF \$4887.01. ALL AYE

#### LTA discussion of resident service requests

The Board of Selectmen acting as the Local Traffic Authority reviewed the following service requests:

Service Request 24902 - Resident requested a "slow, children at play" sign to put up on 65 William Drive. LTA agreed to do so.

Service Request 24903 - Resident requested a "slow, children at play" sign on 67 Green Lane. LTA agreed to do so.

Service Request 24919 - Resident requested a "blind driveway" sign to be installed north of 111 Stagecoach Road. LTA agreed to do so.

#### Approval of Board of Selectmen meeting minutes July 14, and July 22, 2008

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO APPROVE JULY 14, 2008 MEETING MINUTES. ALL AYE

MOTION BY JOHN SZEWCZYK SECONDED BY JAMES MCLAUGHLIN TO APPROVE JULY 22, 2008 MEETING MINUTES. ALL AYE

#### Old/New business

L. Francis discussed the following old business:

1.) She met with Mr. & Mrs. Cruise, Attorney Milardo and Attorney Poliner to discuss the status of Mountain Road. An offer in on the table to settle this issue and another meeting is to be scheduled on how to proceed.

2.) She met with Pamela Kilbey-Fox, the Chief of the Local Health Administration Branch of the Department of Public Health. The Town of Durham is now one of only 24 towns without a full time Health Director or a member of a Health District. She will be attending a meeting with First Selectman Jon Brayshaw in Branford at the East Shore District on August 6<sup>th</sup>.

3.) The town is in receipt of one bid for mowing services. She is working with the Finance Director to put together a cost/benefit analysis on contracting out verses buying a new mower and using in house labor.

L. Francis discussed the following new business:

1.) The town has contracted with a new auditor this year for three years. L. Francis and Finance Director Maryjane Malavasi had pre audit meetings with the Town Clerk and Tax Collector offices to prepare for this years audit. They will also be meeting with Building & Health and Recreation departments. The focus this year will be internal controls.

2.) Nancy Cuomo has resigned as Republican Registrar of Voters. Per state statute, her Deputy, robert Schulte will take over as Registrar.

3.) L. Francis was elected Treasurer of the Middlesex County Revitalization Commission.

**Selectmen's comments**

L. Francis brought to the attention of the Selectmen that 350 Main Street property was for sale.

**Public comments**

R. Parmelee commented that he felt signs do no good, they are just obstacles. He also commented he felt Duncan Milne did a great job on the Emergency Services Facilities Committee, was non-biased and made a tremendous contribution to the committee.

**Adjourn**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ADJOURN MEETING AT 9:15 P.M. ALL AYE

Respectfully submitted:

Beth Moncata