

*Board of Selectmen's Meeting Minutes*  
7:00 p.m., April 14, 2008  
CRHS, Auditorium

Meeting Minutes

Call to Order and Roll Call

Laura Francis called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

John Szewczyk and James McLaughlin present.

Approval of the Agenda

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO APPROVE AGENDA. 3 AYE

Public comments

None

Discussion/Update on Farmer's Market

Melynda Naples was present to bring the Selectmen up to date on the status of the Farmer's Market. A committee consisting of the following residents has been formed with Melynda serving as the Market Master; Ann Cassidy, Ruth Naples, David Zemelsky, Noah Ventola, Jamie Roraback, and Lili Kinsman. Melynda handed out a mission statement and commented the committee is currently working on bylaws but are not complete at this time. Melynda stated she met with Bill Milardo, Town Sanitarian about vendor licenses and permits; and would be meeting with the Planning & Zoning Commission at their meeting on Wednesday the 16<sup>th</sup> of April. She would then return to the Board of Selectmen to work out the final details. She stated the Farmers Market would be a producer only market with a maximum of 15 vendors, giving preference to local farmers; WIC certified through the state and also have the ability to accept senior coupons. She would like to have the market on the south end of the green stating she thought it would be a better setting, 3:00-6:00 p.m., closer to designated parking and not to intrude on town hall parking. L. Francis asked if she has spoken with the Fair Association about parking. M. Naples responded she has received permission from Gene Chiappetta to allow parking on the fair grounds. The entire Board of Selectmen thanked Melynda and the committee stating they both thought this was a great idea.

Ethics Commission appointments

MOTION BY JAMES MCLAUGHLIN SECONDED BY LAURA FRANCIS TO TABLE ETHICS COMMISSION APPOINTMENTS TO ANOTHER MEETING. 3 AYE

Economic Development Commission resignation

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ACCEPT WITH GRATITUDE THE RESIGNATION OF JERRY LIPCHUS FROM THE ECONOMIC DEVELOPMENT COMMISSION. 3 AYE

Emergency Management Director resignation

L. Francis expresses her appreciation to Steve Levy for all the effort he put into the Emergency Management Committee. J. Szewczyk also praised S. Levy and thanked him for his years of service.

Steve Levy stated he felt privileged to serve in this capacity and the years have been very interesting. He feels extremely confident in the depth of the department and Francis Willet taking it to the next level. He thanked the Board of Selectmen for the opportunity to serve.

MOTION BY LAURA FRANCIS SECONDED JAMES MCLAUGHLIN TO ACCEPT WITH GRATITUDE THE RESIGNATION OF STEVE LEVY AS EMERGENCY MANAGEMENT DIRECTOR. 3 AYE

**Emergency Management Director appointment**

L. Francis thanked Francis Willet for stepping up to the plate commenting there will be much training involved.

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPOINT FRANCIS WILLET AS EMERGENCY MANAGEMENT DIRECTOR. 3 AYE

**Approval for First Selectman to apply for Connecticut Clean Fuel grant**

L. Francis explained that a request was put into the budget to replace the town sanitarians current vehicle and the Board of Finance requested that she research a hybrid vehicle. She stated the Connecticut Department of Transportation offers a grant that would pay the difference between a gasoline operated vehicle and a hybrid.

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO GRANT APPROVAL TO THE FIRST SELECTMAN TO APPLY FOR CONNECTICUT CLEAN FUEL GRANT. 3 AYE

**Approval of traffic plan for Memorial Day festivities on May 26, 2008 as prepared by Resident State Trooper**

L. Francis stated there were no changes to the traffic plan for the parade or the Washington Trail road race from prior years and they have been approved by the Resident State Trooper.

MOTION BY JAMES MCLAUGHLIN SECONDED BY LAURA FRANCIS TO APPROVE TRAFFIC PLAN FOR MEMORIAL DAY FESTIVITIES ON MAY 26, 2008 AS PREPARED BY THE RESIDENT STATE TROOPER. 3 AYE

**Approval of request from Exchange Club for Special Use Permission to sell snacks/hot dogs from 10:00 am to 1:00 pm on Monday, May 26, 2008 at Allyn Brook Park for spectators and participants of the Washington Trail road races**

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO APPROVE REQUEST FROM EXCHANGE CLUB FOR SPECIAL USE PERMISSION TO SELL SNACKS/HOT DOGS FROM 10:00 AM TO 1:00 PM, MONDAY, MAY 26, 2008 AT ALLYN BROOK PARK FOR SPECTATORS AND PARTICIPANTS OF THE WASHINGTON TRAIL ROAD RACES. 3 AYE

**Approval of use of town roads by the American Diabetes Association Tour de Cure, June 8, 2008**

L. Francis stated this was an annual event and there were no changes to the road plan from prior years. It was also approved by the Resident State Trooper.

MOTION BY JOHN SZEWCZYK SECONDED BY JAMES MCLAUGHLIN TO GRANT REQUEST OF USE OF TOWN ROADS BY THE AMERICAN DIABETES ASSOCIATION TOUR DE CURE, JUNE 8, 2008. 3 AYE

**Approval of use of town roads by Cynthia Koczak for "The Ride for Life" benefiting the American Cancer Society and the Alzheimer's Memory Walk on June 1, 2008 (rain date June 8, 2008)**

L. Francis stated the Resident State Trooper approved the road plan and they were not asking for any assistance from the town; they would be utilizing their own personnel at check points.

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO GRANT REQUEST OF USE OF TOWN ROADS BY CYNTHIA KOCZAK FOR THE RIDE FOR LIFE JUNE 1, 2008 (RAIN DATE JUNE 8, 2008). 3 AYE

**Approval of use of Town Hall meeting by Jan Rinaldi, Health Service Coordinator of Life Line Screening, May 2, 2008**

L. Francis commented she was concerned that policy for the use of town hall's meeting rooms has not been set stating she was uncomfortable with this request as it is a for profit agency and is concerned about setting a precedent. J. McLaughlin commented he was not inclined to have for profit events held at the town hall.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT APPROVAL OF USE OF TOWN HALL MEETING ROOM TO JAN RINALDI OF LIFE LINE SCREENING, MAY 2, 2008. OPPOSED L. FRANCIS, J. MCLAUGHLIN, J. SZEWCZYK

**Proclamation, Municipal Clerks Week**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO PROCLAIM THE WEEK OF MAY 4 - MAY 20, 2008 AT MUNICIPAL CLERKS WEEK. 3 AYE

*PROCLAMATION*

Municipal Clerks Week

*May 4 through May 10, 2008*

**Whereas**, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

**Whereas**, The Office of the Municipal Clerk is the oldest among public servants, and

**Whereas**, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**Whereas**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

**Whereas**, The Municipal Clerk serves as the information center on functions of local government and community, and

**Whereas**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, country and international professional organizations, and

**Whereas**, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**Now, Therefore, We**, The Board of Selectmen, of the Town of Durham, CT., do recognize the week of May 4 through May 10, 2008, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk **Kim Garvis** and Assistant Municipal Clerk **Alicia Fonash-Willett**, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this day 14<sup>th</sup> day of April 2008

Laura L. Francis  
First Selectman

**Discussion of safety issue where Carriage Drive intersects Haddam Quarter Road**

L. Francis referenced prior correspondence of July 2007 from the Selectmen's office requesting permission from AT&T to place a parabolic mirror on a telephone pole where Carriage Drive intersects with Haddam Quarter Road, stating she has not received a response and asked J. McLaughlin if he did. J. McLaughlin stated he received a verbal answer denying the request. L. Francis stated she would follow up on this.

### **Fiscal Analysis, January, February & March 2008**

Fiscal Analysis as of March 31, 2008 prepared by Finance Director Maryjane Malavasi was reviewed as follows:

- Statistically, we have spent 78.8% of our adjusted budget appropriation and are 75% through our fiscal year. On the revenue side, we have collected 90.7% of our current revenue projections, not including additional funds transferred in from the Reserve Fund. The percentage appears high; however the majority of our taxes have already been collected for the year. If the taxes are taken out of the equation, 62% of all other revenue has been collected as of March 31, 2008. Since much of the State Revenue is received during the last quarter of the fiscal year, our projections seem to be on track.
- The worst part of our winter call-out season is behind us, and our Snow budget is currently in the black over \$11,000. There are some residual invoices yet to be paid; however, it appears that our projection for this year should cover our expenses.
- Our heating and vehicle fuel accounts are at 84.7% and 79% respectively. Since the winter season is hopefully behind us, these accounts should hold up for the balance of the year.
- Our contingency balance is holding steady at just over \$90,000. There are a couple of accounts, specifically tax refunds and the environmental cleanup at 41 Main Street, that will use approximately one-half of that at year end when those accounts are closed out. Since the Board of Finance has been covering other overages during the year, the contingency balance should be able to cover other unanticipated overages.
- The Undesignated Fund Balance has been used for a number of items this fiscal year, as detailed in these reports. Estimated expenditures bring the balance down to approximately 8% of our total budget. As we tighten up our budgeting for the next fiscal year, the amount of money being moved into fund balance as year end will begin to diminish. Therefore, we need to be prudent in its use.

### **Discussion of Capital Improvement Plan**

L. Francis stated the Board of Selectmen met previously to put structure to the plan and came up with many conclusions. She made reference to a memo from Bill Milardo dated March 11, 2008 about the Firehouse's subsurface disposal system and the proposed expansion of its use. She asked the Selectmen to digest the memo and she would schedule another workshop to discuss. L. Francis stated she often is asked why the town can't use the existing fire house property and/or the property behind the fire house to build on. S. Levy responded this would be an incompatible use of property and there was as strong conclusion by the Emergency Services Facilities Committee that this property should be served for a single purpose which would contain four different public safety departments. L. Francis commented about the limitation of the property; sharing of the leaching fields with the Fair Association; wetlands, and the disposal system but she wanted to make sure that she exhausted all opportunities of this property. She also noted in doing research of the property no easement has been located with the Fair Association on the existing use.

### **Approval of Board of Selectmen meeting minutes of March 24<sup>th</sup> and April 1st, 2008**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPROVE MARCH 24<sup>TH</sup> MEETING MINUTES. 3 AYE

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPROVE APRIL 1, 2008 MEETING MINUTES. 3 AYE

### Old/New business

L. Francis discussed the following old business:

- The town has been awarded two STEAP Grants from the State of Connecticut. \$56,000 for the extension of tie-ins from the new water distribution system along Route 17 from Fowler Avenue south to Higganum Road and \$13,200 for a Ground Water Under Direct Influence Study of the Durham Center Water System required by the DEP. A third grant submitted for Pickett Lane Culvert will be submitted in the next round of funding.
- The Tax Collector's office window and counter is finished thanks to Public Works employees John Jenkins and Jim Quilty.
- Taxes on the house lot of the Merriam Manufacturing property were paid. Jan Exman has not made a decision on how he wants to proceed. L. Francis will keep the Selectmen up to date on the status.
- Parking for town employees on the fairgrounds is being worked out; possible 17-21 spaces.

L. Francis discussed the following new business:

- L. Francis met with Guy Russo from Middletown and Geoff Colegrove regarding water from Middletown.
- A federal lawsuit was filed, Arrigoni Enterprises, LLC v Town of Durham; inverse condemnation among other items. L. Francis asked G. Colegrove if P&Z's Attorney Tom Byrne is eligible to defend; may need special counsel.

### Selectmen's comments

None

### Public comments

Steve Levy asked the Board of Selectmen to consider a stipend for the Emergency Services Director and urged L. Francis to use budget for gas expenses to/from training classes.

Francis Willet commented this past weekends gun show on the fair grounds tested the new traffic pattern of Canfield and Town House Road. The stop sign on the south end of Town House Road from Main Street only holds 1 or 2 cars creating a backup to Main Street; there was a small accident last weekend. He asked that the Board of Selectmen revisit the placement of the stop sign and switch it back to its original place. J. McLaughlin agreed.

ADJOURNED TO ANNUAL BUDGET HEARING 7:48 P.M.

### Executive Session-purchase of property

RECONVENED TO EXECUTIVE SESSION 8:45 P.M.

### Adjourn

ADJOURNED MEETING AT 9:10 P.M.

Respectfully submitted,

Beth Moncata