

BOARD OF SELECTMEN'S MEETING
7: 00 p.m., MONDAY, JUNE 25, 2007
TOWN HALL MEETING ROOM

REVISED

MEETING MINUTES

Call to order and roll call

James McLaughlin called the meeting to order at 7:00 p.m. and led the pledge of allegiance. Renee Edwards and Maryann Boord present.

Approval of the agenda

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO APPROVE AGENDA. ALL AYES.

Public Comments

Attorney Joseph Milardo was present to represent Mr. & Mrs. Cruise of 49R Mountain Road for a discussion on clarification of the status of Mountain Road as a town owned road. Attorney Milardo stated that his clients purchased their home on/after 1960 and that prior town officials stated that Mountain Road was not a town road. He made reference to a statement made by the Durham Planning & Zoning Commission that it is a town road and also to prior documentation from Attorney K. Antin that there were no records of abandonment. He asked the Board of Selectmen to become actively involved in researching the roads history and was looking for fair compensation on behalf of the residents. Maryann Boord stated that Attorney Antin had previously researched this and the town would forward this information to the town's attorney.

Donia Viola was present to ask the Board of Selectmen to look in the before and after school program (BASREP). She questioned how a \$19,000.00 deficit could go un-noticed and stated that she is very uncomfortable that RSD13 would forgive that amount. She feels that this was not the proper way to decide this matter.

Brian Ferris was present to request another extension to July 13, 2007 and the corresponding extension of the completion date. He met with his lender and they have asked that the town grant up to three to four months instead of 30 days. He also stated he needs to close with the lender by July 3, 2007. Maryann Boord stated that Attorney Rebecca E. Adams would need to be consulted prior to granting the extension and the Board of Selectmen would schedule a special meeting July 3rd with an answer. R. Edwards suggested that recommendation from Attorney Adams could be given to Mr. Ferris earlier.

Discussion: Melynda Naples, Farmers Market on the town green

Melynda Naples proposed a farmers market on the green with all local producers, one night a week for four to five hours. James McLaughlin thought it was a great idea but was concerned with Main Street congestion and parking. He suggested speaking with Leonard Baginski from the Durham Fair Association about parking. Maryann Boord asked if she had discussed this with the Town Sanitarian, Bill Milardo and she stated yes, that she was aware that vendors would need to be licensed and he would have to inspect. Renee Edwards stated that the Board of Selectmen would have to give approval to use the green and they would put it on the their agenda once a full plan was available.

Discussion of Compensation Review/Personnel Policy Board Classification and Compensation Plan revisions

Martin Anderson, member of the CR/PPC, was present to answer questions to the revisions made by the commission to Randi Frank's implementation of the classification and compensation plan dated October 2006. He stated that the commission had no issue with R. Frank's methodology or pay grades and they made minor changes to the pay administration. The commission recommended taking away the steps for increases and going to a minimum/maximum level based on performance stating that this would

give the town more flexibility. The commission further recommended that the changes be effective July 1, 2007.

M. Boord requested clarification of item #4. M. Anderson stated that annually the minimum and maximum should be reviewed and if there is an individual who is over the maximum, COLA should be added first to the minimum and maximum amounts, then to the individual. Maryann Boord stated that the history has dictated only a 3% increase and she questioned why a 3% increase and an additional merit increase indicating that the purpose of the study was to get positions where they should be. R. Edwards stated that merit increases were not plausible because of the disparity between union and non-union employees. M. Boord felt that the minimum/maximum was too broad and that it should be more specific. R. Edwards asked if the commission felt comfortable with R. Frank's recommended salaries and grades. M. Andersons stated yes. R. Edwards asked that the Board of Selectmen have time to review once more and discuss at the next meeting.

Discussion of Woodland Manor (WPCA)

Attorney John Corona asked that the Board of Selectmen acting as the Water Pollution Control Authority address an issue concerning Woodland Manor. Woodland Manor Association fees and an original \$8,000.00 were to pay for repair and/or replacements to the septic systems but the association's fees were never placed in the fund. Nancy Burnett sold property to Gullitti Builders for additional houses and agreed to reconcile the fund and didn't. The builder chose to do repairs to the system and N. Burnett agreed that money would be taken from the fund. The issue at hand is that the \$8,000.00 belongs to the association and the town and N. Burnett has no authority to disperse from this fund. John Corona asked the Board of Selectmen for permission to disperse funds to pay the builder. James McLaughlin stated that he would like to refer this to the town's attorney. Maryann Boord requested that J. Corona write a memo explaining this to the Board of Selectmen. J. Corona requested a speedy response in order to resolve before the trial date of September 13, 2007 pending lawsuit between Nancy Burnett and Guillitti Builders.

Set date for Special Town Meeting

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO SET SPECIAL TOWN MEETING DATE OF JULY 3, 2007. ALL AYES.

Approval of the Call to Special Town Meeting

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO APPROVE CALL TO SPECIAL TOWN MEETING. ALL AYES.

CALL TO A SPECIAL TOWN MEETING
TOWN OF DURHAM

A SPECIAL TOWN MEETING of the Electors and Citizens qualified to vote at Town Meetings of the Town of Durham will be held in the Durham Town Hall Meeting Room, on Tuesday, July 3, 2007 at 8:00 p.m. for the following purpose:

1. To appropriate \$26,000 from Undesignated Fund Balance to line item 4055 Resident State Trooper in the 2006-2007 fiscal year.
2. To appropriate \$13,700 from line item 6020 Contingency to line item 1565 Information Technology in the 2006-2007 fiscal year.
3. To approve the transfer of \$7,400 from the Fire Trustees Shed Reserve Fund to line item 4025-402 Fire Trustees Capital Building. \$2,673 to be transferred in the 2006-2007 fiscal year; and \$4,727 to be transferred in the 2007-2008 fiscal year.

4. To approve the transfer of \$25,000 from the Fire Trustees Driveway Reserve Fund to line item 4025-402 Fire Trustees Capital Building in the 2007-2008 fiscal year.
5. To approve the transfer of \$60,000 from the Millbrook Road Reserve Fund to line item 3005-529 Millbrook Road Project in the 2007-2008 fiscal year.
6. To approve the transfer of \$79,962 from the Radio Communications Reserve Fund to line item 6700-498 CIP-Town Wide Radio Communications in the 2007-2008 fiscal year.
7. To accept the transfer of ownership of the parcel of land described as lot #44 on map entitled "Plat of Tract #3 Durham Heights, Inc." revised 10-28-55, now known as lot 92 on the current map, from the Town of Durham to Jeff and Elain Siena of 29 Edwards Road and that a legal easement be maintained for potential access for drainage and that all legal fees for such easement be paid by Jeff and Elain Siena.

James W. McLaughlin
First Selectman

Renee P. Edwards
Selectwoman

Maryann P. Boord
Selectwoman

Fire Inspector Appointment

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO APPOINT DAVE STEELE AS FIRE INSPECTOR. ALL AYES.

Recreation Department Appointment

MOTION BY MARYANN BOORD SECONDED BY RENEE EDWARDS TO APPOINT LIZ CIPOLLINA TO THE RECREATION COMMITTEE FOR A TWO-YEAR TERM. ALL AYES.

Town Wide Sweeping Bid Award

No recommendation made. Tabled until next meeting.

Approval of Tyler Technologies Unvers Support Agreement

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO RENEW SUPPORT AGREEMENT WITH TYLER TECHNOLOGIES. ALL AYES.

Discussion of Ethics Committee

James McLaughlin stated that he would like to appoint a five-member committee to create an ordinance for an Ethics Committee. He suggested the committee consist of 2 democrats, 2 republicans, and 1 unaffiliated with all having no political office in town and being registered voters. He asked that the BoS bring names to the next meeting.

Tax Refunds

MOTION BY MARYANN BOORD SECONDED BY RENEE EDWARDS TO APPROVE (20) PROPERTY TAX REFUNDS IN THE AMOUNT OF \$5,506.14. ALL AYES.

Crooked Hill Road –Reply to Brian Ferris on Bond/Letter of Credit Issue

J. McLaughlin read correspondence from Atty. Rebecca Adams stating that the town could accept either a pre-approved letter of credit or a bond in the amount of \$703,731.00 with the understanding that the amount does not cover any utility relocation, which remains the responsibility of Brian Ferris, LLC. He also stated that he received documentation from Town Engineer (Brian Curtis) confirming the final bond amount to be \$703,731.00 plus the cost of utility line relocation work. J. McLaughlin recommended that this item go on the next agenda with the request for a 3-4 month extension.

345kV Transmission Line updates

J. McLaughlin commented that he has received no correspondence from the letter he drafted to the CT Siting Council of June 5, 2007.

Approval of June 11, 2007 meeting minutes

MOTION BY MARYANN BOORD SECONDED BY JAMES MCLAUGHLIN TO APPROVE JUNE 11, 2007 MEETING MINUTES WITH CHANGES. ALL AYES.

Old/New business

Martin French (Tax Collector) made a recommendation regarding the Community Development property located on Wallingford Road and their delinquent taxes. He stated that he was not aware of any special condition or consideration that would justify a tax abatement. To date Community Development has not confirmed their non-profit status, which was the basis for their original request for a waiver of back taxes. He does not believe that status alone would be cause for a waiver and suggested that the town's attorney be consulted on that question. Maryann Boord suggested that they ask abutting property owners to purchase for back taxes.

J. McLaughlin reviewed a custodial budget and services analysis for the last 2 years from Beth Moncata. A three-month extension for the current contractor though September was granted in order to go back out to bid.

Selectmen's comments

Maryann Boord commented that she received an updated analysis of the State Budget from OPM and the impact on Durham.

Public comments

None

Executive Session –Personnel Issue

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO ADJOURN TO EXECUTIVE SESSION. ALL AYES.

RETURNED FROM EXECUTIVE SESSION

Adjourn

Meeting adjourned at 10:00 pm.

Respectfully submitted by:

Beth Moncata