

Board of Selectmen's Meeting Minutes
7:00 p.m., Monday, August 25, 2008
3rd Floor Meeting Room, Town Hall

Meeting Minutes-Approved

Call to order and roll call

Laura Francis called the meeting to order and led with the pledge of allegiance. John Szewczyk and James McLaughlin present.

Approval of the agenda

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO AMEND THE AGENDA TO INCLUDE THE APPROVAL OF JULY 22ND AND AUGUST 21ST MEETING MINUTES. 3 AYE

Public comments

Joseph Pasquale was in attendance to voice his concerns regarding the discussion of Lake Grove property study members. He stated he was not opposed to forming the group but was concerned that no citizens from the area of Lake Grove were being involved in the study process; he feels citizens should be solicited to participate for a successful conclusion. He also stated he thought it unusual that the property owner was not involved in the process or available at any town meetings.

Renee Edwards was present and introduced the Democratic Nominating Committee Chair who was also in attendance to nominate Campbell Barrett to the Planning & Zoning alternate position stating he was an Attorney, Instructor, and Author; a resident of Main Street with three children in the school system; and is committed to the Town of Durham

Historic District resignation

J. McLaughlin asked the Board of Selectmen to review a memo drafted by Duncan Milne on the makeup and suggestions to improve the Historic District Commission membership. Both Selectmen agreed to review research and discuss at the next meeting.

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ACCEPT THE RESIGNATION OF PATRICIA DYNIA FROM THE HISTORIC DISTRICT COMMISSION. 3 AYE

Planning & Zoning alternate appointment

James McLaughlin stated the Durham Democrats are very happy to offer Campbell Barrett of Durham for Board of Selectman consideration for Planning & Zoning alternate and read a synopsis of Mr. Barrett's background. He then made a motion to nominate C. Barrett and asked for a 2nd. When the motion was not seconded he asked L. Francis for an explanation. L. Francis stated last Friday it was brought to her attention the Mr. Barrett authored a brief against Silver Eagle Development and although she honors and respects the process the Democratic Committee took she could not support the appointment. She continued by stating the position was open until the next election in 2009 at the same time the Silver Eagle appeal will be litigated commenting that Mr. Barrett would be unable to participate, shortchanging the committee with limited service. She respectfully asked the Democratic Committee to bring back another candidate and apologized for the late timing. J. McLaughlin said he felt this was not a valid reason and stated Mr. Barrett spoke as a private citizen doing nothing more or less than any other resident at a public hearing and should not be automatically disqualified. L. Francis commented that the brief was written on legal letterhead and signed as an attorney. She stated she spoke with Attorney Thomas Byrne who confirmed that Mr. Barrett would have to recuse himself from participating in that topic. J. McLaughlin stated many people recuse themselves from meetings. L. Francis commented that the board normally does not have this type of information upfront and with all due respect feels it is not the right time for Mr. Barrett and a better candidate could be found. J. McLaughlin stated for the record that he did not agree and left the meeting at 7:40 p.m.

MOTION BY JAMES MCLAUGHLIN TO NOMINATE CAMPBELL BARRETT TO THE PLANNING & ZONING ALTERNATE POSITION. NO SECOND.

Public Safety Committee; Discussion of improvements to Higganum Road

Frank DeFelice was in attendance and read a letter from the Public Safety Committee dated August 15th to the Board of Selectmen which noted the following improvements for Higganum Road.

1. The roadways center line should be repainted using highly reflective paint, containing glass beads or the like, to improve night time visibility.
2. Reflective speed limit signs should be posted along the length of the roadway in both directions of travel.
3. Reflectors should be installed on guard rails to alert motorists.

Following deficiencies and recommendations:

1. A large number of very sharp curve exits particularly in the portion of Higganum Road between the intersections of Blue Hills Road and Bear Rock Road. "S" curve signage should be posted ahead of each sharp curve in both directions of travel.
2. Along this same section a large number of blind driveways exist caused in part by the aforementioned curvatures of the roadway. Blind Driveway Ahead signs should be posted as need.
3. No lighting or reflectors are installed along this roadway.
4. There does not appear to be a single speed limit sign posted in either direction of travel along the entire length of the roadway.

L. Francis thanked F. DeFelice and referenced agenda item #16; discussion of local traffic authority, making the statement that she has attended workshops on this topic and is not comfortable on the way the LTA has been making decisions; not the best way to approach. She continued by saying the LTA should site best practices from the State of Ct and the Federal Government; gather information from the State Traffic Commission; to use for determining requests. She also stated she would like to create a Standard Operating Procedure and Manual.

Request for permission from New Britain Police Department to use town roads for Freedom Ride for Manes & Motions event, Sunday, September 14, 2008

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO THE NEW BRITAIN POLICE DEPARTMENT TO USE TOWN ROADS FOR FREEDOM RIDE FOR MANES & MOTIONS EVENT, SUNDAY, SEPTEMBER 14, 2008 PENDING APPROVAL FROM THE RESIDENT STATE TROOPER. 2 AYE

Request from Durham Volunteer Fire Company to use town owned land surrounding the Firehouse for the Durham Fair Weekend 9/26, 9/27, 9/28/2008

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO THE DURHAM VOLUNTEER FIRE COMPANY TO USE TOWN OWNED LAND SURROUNDING THE FIREHOUSE FOR THE DURHAM FAIR WEEKEND 9/26, 9/27, 9/28/08. 2 AYE

Approval of Authorizing Resolution granting permission to the First Selectman to execute a Memorandum of Understanding with the State of CT, DEMHS for participation in the FY 2009 Emergency Management Performance Grant program

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE AUTHORIZING RESOLUTION GRANTING PERMISSION TO THE FIRST SELECTMAN TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF CT, DEMHS FOR PARTICIPATION IN THE FY 2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM. 2 AYE

Proclamation designating the month of September 2008 as Leukemia, Lymphoma & Myeloma Awareness Month

Resolution Recognizing September
as Leukemia, Lymphoma & Myeloma Awareness Month

WHEREAS, blood cancers currently afflict more than 823,000 Americans with an estimated 135,520 new cases diagnosed each year, and

WHEREAS, leukemia, lymphoma and myeloma will kill an estimated 52,310 people in the United States this year, and

WHEREAS, The Leukemia & Lymphoma Society, through voluntary contributions, is dedicated to finding cures for these diseases through research efforts and the support for those that suffer from them, and

WHEREAS, The Leukemia & Lymphoma Society maintains offices in Fairfield County and Meriden, Connecticut to support patients with these diseases and their family members in the Town of Durham, and

WHEREAS, the Town of Durham is similarly committed to the eradication of these diseases and supports the treatment of its citizens that suffer from them, and

WHEREAS, the Town of Durham encourages private efforts to enhance research funding and education programs that address these diseases,

NOW THEREFORE BE IT RESOLVED, that the Town of Durham joins with The Leukemia & Lymphoma Society in designating the month of September 2008 as Leukemia, Lymphoma & Myeloma Awareness Month to enhance the understanding of blood related cancers and to encourage participation in voluntary activities to support education programs and the funding of research programs to find a cure for them.

Laura L. Francis
First Selectman

John T. Szewczyk
Selectman

James W. McLaughlin
Selectman

Dated this 26th Day of August 2008

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO PROCLAIM THE MONTH OF SEPTEMBER 2008 AS LEUKEMIA, LYMPHOMA & MYELOMA AWARENESS MONTH. 2 AYE

Tax Refunds

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE (32) THIRTY TWO TAX REFUNDS IN THE AMOUNT OF \$1,590.38. 2 AYE

Fiscal Analysis July 2008

The month of July was primarily spent finalizing the fiscal year 2008 budget. Anticipated revenues and expenses that had not been processed as of June 30 were identified and followed up on to ensure the accuracy of processing in the proper year.

The 2009 fiscal year started off with good news and bad news as far as the budget is concerned:

- Heating oil and diesel fuel costs have put those budgets over by approximately \$40,000 for the year;
- Due to an informal bid process, we have saved over \$27,000 in liability and casualty insurance;
- Upon recommendation from our health insurance broker, we have returned to Anthem for health care benefits. This switch gave the town the ability to absorb a much smaller increase than had been anticipated by the previous carrier;
- Our sand supplier agreed to hold its pricing from the previous year, saving the town 19% per ton;
- Electricity costs have been stabilized based on our new contract for the year;
- The bid for janitorial services also realized some savings over the prior year.

We continue to seek better pricing for all contracts through competitive bidding and negotiations. It is our goal to absorb any uncontrollable overage by savings in other areas.

The Board of Finance transferred \$23,800 from fund balance into an account for well water monitoring at the site of contaminated soil at the fire house. Additional funding will be necessary should a test result come back bad.

Of the \$20.3 million tax budget, \$11.3 million was collected in July 2008, an increase of almost 7% in comparison to last year at this time. These figures include interest, fees, and prior year collections.

The 2009 budget is expected to yield little or no increase to fund balance at the end of the fiscal year. The budget includes all known sources of revenue and tight expenditure budgets that do not allow for much fluctuation. Because of this, department heads will need to control their costs more than ever.

As of July 31, 2008, the budget stands as follows:

	Original Appropriation	Additional Appropriation	Revised Budget	Actual	Balance
Expenditures	25,714,652	23,800	25,738,452	2,405,023	23,333,429
Revenues	25,714,652	0	25,714,652	10,303,898	15,410,754
			July Net	7,898,875	

Of the \$2.4 million in expenditures for July 2008, \$1.7 million was the first payment to RSD#13. This is one reason why fund balance is so important to our financial strength. For example, should tax bills be delayed for any reason, the town is still obligated to make this payment to RSD#13. A healthy fund balance would allow us to meet this obligation under that scenario.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE JULY 2008 FISCAL ANALYSIS. 2 AYE

Set date, time, place and approve Call to Special Town Meeting

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO SET SPECIAL TOWN MEETING DATE OF SEPTEMBER 10, 2008, 8:00 P.M., TO BE HELD AT THE DURHAM PUBLIC LIBRARY AND APPROVE CALL. 2 AYE

Discussion of Lake Grove Property Study members

L. Francis noted Joseph Pasquale’s concerns about study membership but reiterated this was just an investigation stage, seeking options with no conclusions yet. She stated she felt it not appropriate to have citizens as study members yet commenting there would be every opportunity for citizens during the process to participate. She stated she spoke with Attorney Thomas Byrne and confirmed that Geoff Colegrove, with his background in Planning & Zoning and Inland/Wetland, would be able to participate as staff and not a voting member.

John Szewczyk commented to J. Pasquale’s concern and agreed that he felt neighbors should have a say but he is concerned they will not have a unified voice. L. Francis restated this was just a fact finding exercise; she wants to use the talent and expertise from the Economic Development Commission and their resources; and best practices working in other communities. She stated the owner is from Long Island and has been very forthcoming and cooperative but she is not sure the owner should be involved.

J. Pasquale stated he feels once a committee is formed and makes a decision it is very hard for residents to voice their opposition after the fact; residents are involved too late in the process. He continued by saying he feels the process does not sit right with him and wanted to bring out his feelings now before the process started. L. Francis stated the inception was to bring forward ideas for discussion, that it will not be a closed process; a fact finding committee forming options to a large piece of property. She also commented that it would be very difficult for the town to replace the tax base if lost. J. Szewczyk commented as long as it was a fact finding committee he felt is was ok to keep staff as members but if it comes to the committee making a recommendation the citizens should be entitled to participate. He then asked if this could be incorporated into the committees charge. L. Francis agreed.

Discussion of 2008 William J. Pomfret Community Service Award Nomination

Each year at the Middlesex Chamber’s Annual Support the Troops Breakfast, a special award is presented to a member of the United States Armed Services in recognition of distinguished service on the part of a veteran to the citizens of Connecticut and selfless devotion to the ideal of commitment to public service. L. Francis nominated Rob Chadd of Durham.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO NOMINATE ROB CHADD FOR THE 2008 WILLIAM J. PROMFRET COMMUNITY SERVICE AWARD. 2 AYE

LTA discussion

Discussion held under item #6.

Approval of Board of Selectmen meeting minutes July 28, 2008

TABLED UNTIL NEXT MEETING

Old/New business

L. Francis brought the Selectmen up to date of the following old business.

1. A third company has been reviewed for a Reverse 911 service for Durham. Emergency Service Director, Francis Willet and Laura Francis will prepare a recommendation for budget season.
2. Kurt Bober, Public Works Foreman has returned to work after an extended leave.
3. She met with the Director of the East Shore Health District commenting that Durham is one of twenty-four towns that does not have a full time Director or is part of a health district. She stated Jon Brayshaw also attended the meeting and is interested in exploring options with the Town of Durham.
4. She attended a software application session sponsored by the East Hartford IT Department who is sharing a number of applications to include land use permitting, bidders database, as well as some Town Clerk functions. Right now the town does not have an automated process for processing land use permits.
5. L. Francis attended a Durham Fair Public Safety Planning meeting with service providers and new superintendents Hank Robinson and Julie Egan. She also met with representatives from the Connecticut Water Company and the Durham Fair Association to establish a process by which everyone will have adequate water during the Durham Fair.
6. Being of concern for many years and after locating undocumented paperwork and un-cashed checks, L. Francis is working with the Treasurer, Finance Director, Building & Health Department, and Geoff Colegrove to reorganize the bond process.
7. Blue Trail investigation update. L. Francis stated the Connecticut State Police will be conducting two more forensic tests; one of a bullet from a unique weapon that was found to be used at the range and horizontal and vertical angle testing using a new map. Once the testing is completed the results will be turned over to the Attorney Generals office and the investigation will be complete. She commented that we need to be prepared that the report will state bullets are coming from elsewhere. She asked the Board of Selectmen to entertain the idea of the town employing an independent expert to assess the effectiveness of the safety measures employed by the owner and asked permission to research and obtain proposals. J. Szewczyk agreed.
9. This years Flu Clinic will have extended hours 9:00-2:00 and 5:30-7:30 to accommodate working people.

L. Francis brought the Selectmen up to date on the following new business.

1. L. Francis met with Region II Emergency Management Planning Committee and this fall will be participating in an extreme ice tabletop exercise.
2. Kim Garvis and L. Francis met with QSend Technologies to start planning for a rework of the website to include up to date features and to improve efficiency in navigation.

3. L. Francis would like to form a Town Hall Spelling Bee Team to compete in the Cuginchaug Valley Education Foundation Spelling Bee on October 17th. Kim Garvis has agreed to be Captain.
4. L. Francis had the opportunity to attend several outings at Camp Farnum this summer and commented on the beautiful piece of property.
5. Liberty Bank has invited the Town of Durham to submit a nomination for their 2008 Community Diversity Award.
6. L. Francis participated in a short documentary on Yankee/Red Sox rivalry.
7. L. Francis will have additional information on Public Works projects at the next meeting.

Selectmen's comments

L. Francis stated she was sorry J. McLaughlin left the meeting and she hopes the Democratic Committee knows her comments were sincere. She respects their process but thinks there is a better suited person. She thanked J. Szewczyk for his support.

Public comments

Attorney John Corona was present to discuss with the Board of Selectmen, as the town's Local Traffic Authority, the plans for the schools new sports complex. He stated his concern with the very difficult and dangerous exiting of Pickett Lane to Route 17, commenting with school starting it will get even worse. He also feels improvements to the intersection of Route 68 & 17 are necessary now. He stated he realizes now that there are additional items to the complex besides the track and was shocked to learn that the expert for the district found additional traffic would not be generated. He was told they would not be adding additional students or faculty but questioned the 200 new parking stations being added. He asked the Board of Selectmen to seriously take into consideration making Pickett Lane one way flow; noting it serves three schools, a town park and an administrative office; he also asked to have traffic lights installed. He further stated the Department of Transportation would ask the Local Traffic Authority for recommendations and offered the following: task the Public Safety Committee with investigation, get the Town Engineer involved, and get a traffic study done. He ended by saying he felt attention is warranted and feels corners should not be clipped.

Renee Donlan of 108 Howd Road was present to request a "deaf child sign" to be placed up the street towards Side Hill Road. She has a four year old daughter with 70% hearing loss and is concerned with her safety. L. Francis and J. Szewczyk agreed to notify Public Works to have the sign put in place.

Adjourn

MOTION BY JOHN SZEWCZYK SECONDED BY LAURA FRANCIS TO ADJOURN MEETING AT 8:20 P.M.

Respectfully submitted:

Beth Moncata