

BOARD OF SELECTMEN'S MEETING
SEPTEMBER 26, 2005

Call to Order

First Selectwoman Maryann P. Boord called the meeting to order at 7:00 PM in the Durham Public Library. Board of Selectmen members present: Maryann P. Boord, Ernie A. Judson, and Renee J. Primus. Also present: Sue VanDerzee (*Town Times*), Larry McCalla, Ron Melnik, Diana McCain, Ona McLaughlin, Donia Viola, Daryl Edwards, Martin French, Trish Dynia, Molly Nolan.

Amend the Agenda

MOTION E. JUDSON, SECONDED BY R. PRIMUS TO AMEND THE AGENDA TO INCLUDE TAX REFUNDS; APPROVED WITH 3 AYES.

Tax Refunds

MOTION R. PRIMUS, SECONDED BY E. JUDSON TO APPROVE THE FOLLOWING TAX REFUNDS IN THE AMOUNT OF \$884.50; MOTION PASSED WITH 3 AYES.

1. William and Valerie Palmisano
44 Clementel Drive, Durham, CT 06422
Account #02055; List Year: 2003; Reason for overpayment: bank error; tax refund in the amount of \$207.21
2. Maria Brinkmann DeNunzio
JohnDeNunzio
229 Haddam Quarter Road
Durham, CT 06422
Account #50827; List Year: 2004; Reason for overpayment: plates returned; tax refund in the amount of \$28.08
3. Toyota Motor Credit Corp.
P.O. Box 105386
Atlanta GA 30348
Account #56603; List Year: 2003; Reason for overpayment: vehicle sold – 2000 Toyota Tundra; tax refund in the amount of \$39.88
4. Toyota Motor Credit Corp.
P.O. Box 105386
Atlanta GA 30348
Account #56589; List Year: 2003; Reason for overpayment: vehicle sold – 2002 Lexus RX300; tax refund in the amount of \$259.22

- 5. Derek Coburn
110R Meeting House Hill Road; Durham, CT 06422
Account #51333; List Year: 2004; Reason for overpayment: plate return – 1993
Toyota T100; tax refund in the amount of \$46.06

- 6. Pamela Bentley
132R Old Blue Hills Road; Durham, CT 06422
Account #50529; List Year: 2004; Reason for overpayment: plates returned – 1991
Toyota Celica; tax refund in the amount of \$10.34

- 7. Nancy T. Arnold
47 Woodland Drive; Durham, CT 06422
Account #50215; List Year: 2004; Reason for overpayment: vehicle sold – 2001
Ford Taurus; tax refund in the amount of \$7.56

- 8. Judi Cali
1206 Pinehurst Drive
Boynton Beach, FL 33426-5879
Account #56236; List Year: 2004 Reason for overpayment: plates returned – 1987
Chrysler LeBaron; tax refund in the amount of \$16.15

- 9. SBC Services Inc.
One SBC Center Room 36-M-01
St. Louis, MO 63101
Account #40231; List Year: 2004; Reason for overpayment: overpayment; tax
refund in the amount of \$270.00

TOTAL TAX REFUNDS.....	\$884.50
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Approval of Minutes of Previous Meetings

MOTION E. JUDSON, SECONDED BY M. BOORD TO APPROVE THE MINUTES OF MARCH 28, 2005 AS PRESENTED. AYES: E. JUDSON, M. BOORD; ABSTAIN: R. PRIMUS; MOTION PASSED WITH 2 AYES.

MOTION R. PRIMUS, SECONDED BY E. JUDSON TO APPROVE THE MINUTES OF AUGUST 22, 2005 AS PRESENTED; MOTION PASSED WITH 3 AYES.

MOTION R. PRIMUS, SECONDED BY E. JUDSON TO APPROVE THE MINUTES OF AUGUST 29, 2005 AS PRESENTED; MOTION PASSED WITH 3 AYES.

Donations for Hurricane Katrina Relief Efforts

M. Boord reported that the Durham Volunteer Fire Company informed her that they wish to donate a fire truck (Durham 5) to the Hurricane Katrina relief effort. Repairs to the clutch will be made by Durham's Public Works staff before it is donated. In addition, the Durham Volunteer Ambulance Corps would like to donate the used ambulance to the Hurricane Katrina relief effort. M. Boord has requested an estimate of the value of each of the vehicles.

Discussion followed about designating where a \$10,000 donation from the Town of Durham will be made to assist with the Hurricane Katrina relief effort. M. Boord reviewed the results of an informal poll conducted by the Town to elicit input from residents as to which agency the donation should be made. 24 percent voted for the American Red Cross, 16 percent voted for the Salvation Army, 16 percent voted for Adopt-a-Town Direct, 12 percent voted for Habitat for Humanity, 8 percent voted for Americares, 4 percent voted for IIMC-Records Replacement, and 20 percent voted for Other.

M. Boord also reviewed the comments that residents provided when responding to the poll. While the vast majority of comments supported the donation by the Town, a comment from one resident reflected disapproval of the Town's donation of taxpayers' money and asked the Town to return the \$10,000 to the taxpayers. The resident asked how individuals will be able to reflect the donation as a charitable contribution deduction on their income tax filings. Discussion followed.

E. Judson suggested that since the Ambulance Corps and the Fire Company wish to donate used vehicles, the cash donation from the Town could be used to offset the cost of repairing and delivering the vehicles. R. Primus agreed and remarked that she favored a suggestion made by Kurt Bober at last week's meeting that we equip the vehicles prior to donating them. E. Judson agreed and suggested donating money to the recipients of the vehicles so they could select and purchase the type of equipment they prefer. There was agreement that the amount donated for equipping the vehicles would be the amount remaining after costs for repair and transport were expended.

MOTION E. JUDSON, SECONDED BY R. PRIMUS THAT THE TOWN OF DURHAM DONATE \$10,000 TO REPAIR, TRANSPORT AND EQUIP A FIRE TRUCK AND AN AMBULANCE TO BE DONATED BY THE TOWN OF DURHAM TO THE HURRICANE KATRINA RELIEF EFFORTS . MOTION PASSED WITH 3 AYES.

Set Call for Annual Town Meeting

MOTION R. PRIMUS, SECONDED BY E. JUDSON TO SET THE CALL TO THE ANNUAL TOWN MEETING ON OCTOBER 3, 2005 AT 8:00 P.M. AT COGINCHAUG REGIONAL HIGH SCHOOL. MOTION PASSED WITH 3 AYES.

The Call to the Annual Town Meeting is attached to these minutes.

Resignation/Appointment

M. Boord reported that she received a notice of resignation from Steve Comen as a regular member of the IWWCA. The resignation was accepted with gratitude for the 14 years he has served on that agency.

M. Boord provided documentation for the 90 credits Kurt Bober received toward his Fire Marshal certification. He now has all of the training required to serve as Deputy Fire Marshal.

MOTION M. BOORD, SECONDED BY E. JUDSON TO RE-APPOINT KURT BOBER AS DEPUTY FIRE MARSHAL WITH A TERM ENDING JANUARY 1, 2006 TO CONFORM WITH THE TOWN CHARTER. MOTION PASSED WITH 3 AYES.

Proclamation for White Cane Safety Day

MOTION R. PRIMUS, SECONDED BY E. JUDSON TO ADOPT THE PROCLAMATION NAMING OCTOBER 15, 2005 WHITE CANE SAFETY DAY. MOTION PASSED WITH 3 AYES.

The Proclamation for White Cane Safety Day is attached to these minutes.

Old/New Business and Update from the First Selectwoman

M. Boord provided the following report and update:

- Tickets to the Middlesex County Expo to be held October 14th and 15th were provided to E. Judson and R. Primus.
- A pre-bid meeting for the Water Project will be held Thursday, September 29th at 11:00 a.m. The meeting will start at the Town offices and will move to the library if the number of attendees is too large to fit in the conference room.
- On October 13th at 1 p.m. in the Town offices bids will be opened for the Water Property.
- She attended a meeting today at the CT Conference of Municipalities offices. DEP Commissioner Gina McCarthy and Marie O'Brien of the CT Development Agency discussed matters of interest to the municipalities and improving communications and the working relationship between municipalities and State agencies.

Public Comments

Diana McCain asked if Town Counsel has provided an opinion regarding the conflict between State Statutes and the Town Charter on the Fire Marshal appointment. M. Boord replied that an opinion has been requested but has not yet been received. M. McCain asked about the status of the power lines issue and asked what topic will be discussed at the Siting Council court date. M. Boord offered to research the answers to these questions and contact D. McCain. Next, D. McCain read a prepared statement which objected to the way the appointment of Robert Morpurgo as Fire Marshal was handled at the August 22nd Board of Selectmen's meeting.

Molly Nolan remarked that the issue could have been resolved in another manner.

Donia Viola asked if the pick-up point for Senior Bus at the United Churches could be moved from the lower parking lot to the upper lot or to another location during bad weather. She said that during the winter months the lower lot is not always cleared of snow and ice, making it slippery and unsafe for driving and walking. D. Viola next commented on the superfund site and the solutions being considered to bring potable water to Main Street. She commented that the Town should not give away its exclusive franchise area, should not hook up with Middletown for our water supply, and should give additional consideration to using local water sources. M. Boord replied that the Town owns the exclusive service rights in addition to three water systems. The Town will explore the feasibility of all local water sources before taking the step of hooking up with Middletown; however it is best to keep all options open at this time. D. Viola next turned to the subject of Woodland Manor and commented on the complexity of the Association's legal document. M. Boord expects the edited document will be clearer. She commented that instead of Town Meetings, referenda should be used for voting on important issues so that more people can participate.

Trish Dynia asked if an agency will determine where our emergency vehicles might be donated. M. Boord replied that the Fire Company and Ambulance Corps may wish to determine the destination. However, we will work through the Department of Emergency Management and Homeland Security so that they are informed on the matter. T. Dynia asked if the Town could assist with transportation for the Historic District Walking Tour scheduled for October 22nd at 10:00 a.m. While most participants will be able to walk the entire distance, some people may not be physically able to handle walking back to the starting point. M. Boord offered to look into the possibility of using the senior bus or one of the CRHS sports buses to assist with the event.

Selectmen's Concerns

R. Primus expressed concern that in her opinion some members of the Guilford Planning and Zoning Commission may not understand the nature of the improvements being requested on Crooked Hill Road. It appears that some members don't understand that the necessary improvements are going to be much broader in scope than what is actually being planned. In addition, members appear to be satisfied with the report from their own fire department; at the last meeting some members appeared to be surprised that the Durham's Fire Company still has safety concerns. She remarked that she believes clarification of Durham's position on this issue should be provided to the Guilford P&Z. She offered to draft a summary of the issues and B/S concerns. E. Judson agreed that would be helpful and suggested including a map of Crooked Hill Road with the section in question highlighted. M. Boord agreed and added that the wording of Durham's position should be very strong. R. Primus offered to draft a letter and focus on the details of issues that the Guilford P&Z may not fully understand.

E. Judson commented that the Durham Fair this past weekend was a great success. Sue VanDerzee reported that 220,000 people attended this year's fair.

Adjourn

MOTION M. BOORD, SECONDED BY E. JUDSON TO ADJOURN THE MEETING AT 8:05 PM; MOTION PASSED WITH 3 AYES.

Respectfully submitted,

Alice Tucker

Alice Tucker

Attachments:

Call to the Annual Town Meeting

Proclamation for White Cane Safety Day

CALL TO THE ANNUAL TOWN MEETING
TOWN OF DURHAM

The eligible voters of the Town of Durham are hereby warned that THE ANNUAL TOWN MEETING will be held in the Julian B. Thayer Auditorium, Coginchaug Regional High School, on Monday, October 3, 2005, at 8:00 P.M. for the following purposes:

1. To establish the date for the Annual Budget Meeting.
2. To present a Proclamation by the Durham Volunteer Ambulance Corps honoring Dillon Ferraro.
3. To elect one member to the 2010 term on the Personnel Policy Board.
4. To elect 3 members to 2008 terms on the Library Board of Directors.
5. To elect a town representative to the 2008 term on the Board of Trustees of the Durham Volunteer Fire Company, Inc.
6. To approve the charity to which the Special Town Meeting's approved appropriation of \$10,000 will be sent to make a contribution to the Hurricane Katrina Relief Effort, as recommended by the Board of Selectmen at its meeting of September 26, 2005.
7. To approve spending a \$50,000 grant from the Department of Environmental Protection for repairs to the skating pond.
8. To approve the donation of a fire truck to the Hurricane Katrina Relief efforts.
9. To approve the donation of an ambulance to the Hurricane Katrina Relief efforts.

Maryann P. Boord
First Selectwoman

Ernie A. Judson
Selectman

Renee J. Primus
Selectwoman

Dated in Durham, Connecticut, this 26th day of September 2005.

PROCLAMATION

**WHITE CANE SAFETY DAY
October 15, 2005**

WHEREAS, the white cane and the dog guide have come to symbolize every blind person's right to pursue and achieve a full and independent life, and the use of the white cane or the dog guide allows blind persons to travel safely and effectively and undertake gainful employment and otherwise fully participate in society; and,

WHEREAS, Connecticut State law secures the right of blind persons to carry and use a white cane or be accompanied by a dog guide, whether on the streets and highways, traveling on public transportation, utilizing public accommodations, locating housing or working on the job, and Connecticut law also requires motorists to exercise appropriate caution when approaching a blind person using a white cane or dog guide; and,

WHEREAS, Connecticut law further encourages employers, both in private and public sectors, to explore and utilize the skills and potentials for productivity of the blind citizens of Connecticut, to recognize their capabilities and respect their worth as individuals; and,

WHEREAS, the State of Connecticut, with the assistance and cooperation of the National Federation of the Blind of Connecticut, can look forward to an ever-increasing awareness of the abilities of blind people and to a greater acceptance of blind persons in the competitive labor market;

NOW, THEREFORE, I, Maryann P. Boord, First Selectwoman of the Town of Durham, do hereby proclaim October 15, 2005, as WHITE CANE SAFETY DAY for the Residents of Durham and call upon our schools, institutions and business leaders to take the lead in ensuring full acceptance and equal opportunities for the blind of Connecticut, and I also urge all citizens to recognize and respect the white cane and the dog guide as representing safety, dignity and self-help for the blind of Connecticut.

Dated at Durham, Connecticut, this 26th day of September 2005.

**Maryann P. Boord
First Selectwoman**