

*BOARD OF SELECTMEN MEETING  
6:30 P.M., MONDAY, MARCH 26, 2007  
TOWN HALL, 3<sup>RD</sup> FLOOR MEETING ROOM*

MEETING MINUTES

CALL TO ORDER AND ROLL CALL

J. McLaughlin called the meeting to order at 6:30 p.m. and led the meeting with the pledge of allegiance. Renee Edwards and Maryann Boord present.

APPROVAL OF THE AGENDA

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO APPROVE THE AGENDA, AMENDING BY REMOVING ITEM #5. ALL AYES.

PUBLIC COMMENTS

R. Parmalee commented on the crosswalks on Main Street stating that the curbing should be eliminated, that the sidewalk should extend to the street creating access for the physically challenged. He also commented that the pedestrian signs that have been placed on Main Street at the crosswalks are great.

J. McLaughlin commented that he received word that the State has installed a painted crosswalk and signage at Allyn Bridge.

EMERGENCY SERVICES FACILITIES COMMITTEE; WELCOME & DISCUSSION OF CHARGE

J. McLaughlin welcomed the committee members and asked them to introduce themselves. All were present with the exception of F. DeFelice. He then read his idea of the committee charge and welcomed comments (CHARGE: Consider the short and long term needs of the Fire Company, the Ambulance Corps, the Resident State Trooper, the Emergency Services Department, and Town government storage, and propose a plan to make use of the property and buildings to meet those needs.)

M. Boord thought part of the charge should be to assess the utility of the property (land and buildings) and then to generate appropriate plans. S. Levy mentioned that the wording of Emergency Services Department be changed to Emergency Management Department. D. Milne stated that it would serve the town to have the buildings revitalized.

H. Hall asked M. Boord if the wetlands had been flagged on the property to the north and if there was access to maps. Maryann Boord stated that David Lord flagged the wetlands and it should be on file at the town hall. J. McLaughlin stated that the town engineer is doing a survey and will be flagging the wetlands.

T. Palmeri asked for an explanation of "town government storage". J. McLaughlin explained that there is a need to store voting machines, records, and file storage that currently is unavailable at the town hall, but that it was not as important as meeting the needs of the emergency services facility.

S. Levy asked the Board if there was a time frame involved. J. McLaughlin stated the sooner the better, to meet early and often. The firehouse driveway is ready to be done as soon as the town engineer completes his survey and the roof and porch of 51 Main Street were currently being repaired. He also stated that the Ambulance Corps was in a tough situation and that they should be put first on the list making sure that there was a proper garage for the ambulance.

D. Milne asked if the board was going to appoint a chairman to the committee. J. McLaughlin stated that it was up to the committee to make that appointment. S. Levy asked if the board had a preference who should be chair. M. Boord responded that the committee should get the first meeting scheduled tonight and that it was the decision of the committee to appoint a chair. She also

mentioned that the Public Safety Committee had done a comprehensive study on the town owned buildings a few years ago and that this information should be made available to them for review. R. Edwards commented that all old files and surveys would be provided to the committee.

R. Edwards added that it made no difference to her who the committee elected as a chair, but suggested that when making a determination they should select someone who could devote the time needed to be a member and chair.

D. Foley asked if there has even been a structural examination of the buildings. D. Milne responded that he was an architect by profession and he was looking into the existing conditions and design review. He stated that he wants to get this done very soon.

R. Edwards read the finalized charge for the committee as follows:

Consider the short and long term needs of the Fire Company, the Ambulance Corps, the Resident State Trooper, the Emergency Management Department and Town government storage, and to assess the utility of the town-owned land, and propose a plan to make use of the property and buildings to meet those needs.

MOTION BY R. EDWARDS, SECONDED BY M. BOORD TO APPROVE EMERGENCY SERVICES FACILITIES COMMITTEE CHARGE. ALL AYES.

The Board of Selectmen recessed the meeting at 7:00 pm to attend Public Hearing.

The Board of Selectmen reconvened meeting at 8:53 pm.

#### CAPITAL EXPENSE BUDGETS

##### INFORMATION TECHNOLOGY-HOLD PENDING CLARIFICATION

MOTION BY R. EDWARDS, SECONDED BY M. BOORD TO APPROVE CONSERVATION EXPENDITURE IN THE AMOUNT OF \$3,000.00, AND MOVE THE ITEM FROM CAPITAL EXPENSE TO CONSERVATION COMMISSION BUDGET. ALL AYES

MOTION BY R. EDWARDS, SECONDED BY M. BOORD TO APPROVE CAPITAL EXPENDITURE IN THE AMOUNT OF \$12,735.00 FOR THE AMBULANCE CORPS. ALL AYES

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO APPROVE CAPITAL EXPENDITURE IN THE AMOUNT OF \$12,000.00 FOR THE FIRE DEPARTMENT. ALL AYES

MOTION BY J. MCLAUGHLIN, SECONDED BY R. EDWARDS TO APPROVE CAPITAL EXPENDITURE IN THE AMOUNT OF \$10,000.00 FOR MICROFILMING. ALL AYES

##### TAX COLLECTOR-ON HOLD PENDING CLARIFICATION

##### GENERATOR-ON HOLD

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO APPROVE CAPITAL EXPENDITURE IN THE AMOUNT OF \$2,500.00 FOR THE DURHAM LIBRARY. ALL AYES

#### BUDGETS

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO APPROVE APPROPRIATION NEEDED TO FUND RETROACTIVE PAY IN THE AMOUNT OF \$35,372.00. ALL AYES

DISCUSSION OF WALLINGFORD ROAD PROPERTY OWNED BY COMMUNITY DEVELOPMENT SERVICES

J. McLaughlin stated that he received correspondence from Martin French, Tax Collector in reference to land on Wallingford Road that belonged to Community Development Services, Inc. The non-profit organization has not stayed current with their property taxes and does not have the funds for tax expense. Bonnie Landgren of Community Development Services has offered to give the land to the town in lieu of the taxes owed. J. McLaughlin asked the Board of Selectmen how they would like to deal with this piece of property. They currently owe the town \$4,415.44 and the land represents 1.59 acres. R. Edwards suggested that the Conservation Commission assess the property. M. Boord questioned if CDS has offered it to the State since it abuts state property. M. French commented that he was sure that they haven't. J. McLaughlin stated that he had additional correspondence from Jean Myers, President of CDS, from October 2005, making a request that the land be put in Durham's open space program. M. Boord suggested going back to the October 4, 2005 Board of Selectmen's minutes to research that discussion.

John Szewczyk offered some history on the land. He stated that it had been bought and then found that you couldn't build on it. The property in turn was given to the CDS. He mentioned that the property abuts Maple Avenue and that maybe property owners on Maple Avenue may be interested.

J. McLaughlin stated that he would forward the information to the Conservation Commission for review.

AUTHORIZE THE FIRST SELECTMEN TO SIGN LETTER OF AGREEMENT BETWEEN CERC AND THE TOWN OF DURHAM

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO AUTHORIZE THE FIRST SELECTMAN TO SIGN LETTER OF AGREEMENT WITH CERC. ALL AYES

AUTHORIZE THE FIRST SELECTMAN TO SIGN AGREEMENT BETWEEN THE METROPOLITAN DISTRICT AND THE TOWN OF DURHAM

MOTION BY R. EDWARDS, SECONDED BY M. BOORD TO AUTHORIZE THE FIRST SELECTMAN TO SIGN AGREEMENT WITH METROPOLITAN DISTRICT. ALL AYES

RE-ADOPT: FAIR HOUSING RESOLUTION, FAIR HOUSING POLICY STATEMENT, COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AFFIRMATIVE ACTION POLICY STATEMENT AS REQUIRED BY DECD

MOTION BY M. BOORD, SECONDED BY J. MCCLAUGHLIN TO RE-ADOPT FAIR HOUSING RESOLUTION, FAIR HOUSING POLICY STATEMENT, COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AFFIRMATIVE ACTION POLICY STATEMENT. ALL AYES

DESIGNATE THE MONTH OF APRIL AS FAIR HOUSING MONTH

MOTION BY R. EDWARDS, SECONDED BY M. BOORD TO DESIGNATE THE MONTH OF APRIL AS FAIR HOUSING MONTH. ALL AYES

APPOINT PLANNING & ZONING ALTERNATE POSITION

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO APPOINT MARK LAUDANO TO PLANNING & ZONING ALTERNATE POSITION. ALL AYES

DISCUSSION: FIXING ASSESSMENTS FOR VARIOUS BUSINESS EXPANSIONS

M. Malavasi, Finance Director presented a draft spreadsheet that she prepared at the request of the Board of Selectmen. In her discussion she stated that she needed answers to specific questions in order to have a clearer understanding of what the Board really wanted.

After reviewing the spreadsheet M. Boord stated that her questions should be addressed to Town Counsel, as they may be interpretation of statutes. J. McLaughlin asked if John Philip, Assessor could help answer some of the questions. M. Malavasi did state that she would be talking to J. Philip. R.

Edwards stated that she felt all of the applicants should be treated equally in making a final determination.

J. McLaughlin commented that when all additional information is gathered he will send it to Town Counsel for review.

#### TAX REFUNDS

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO APPROVE 21 TAX REFUNDS IN THE AMOUNT OF \$8,292.99. ALL AYES

#### DISCUSSION ON ETHICS COMMISSION PER CHARTER

J. McLaughlin reviewed Section 7-148h. Ethics commission; establishment and powers. Interest in conflict with discharge of duties and a sample Code of Ethics and Board of Ethics from the Town of Bristol and asked the Board of Selectmen to review both documents. M. Boord asked if the Town of Chester has an Ethics Commission. J. McLaughlin stated that he would ask at the next meeting of the CRVCEO meeting. R. Edwards stated that this was a good starting point. M. French offered material that he had on ethics.

#### CROOKED HILL ROAD AND 345KV TRANSMISSION LINE UPDATES

Luke Backus stated that Allen Fritz has arranged a meeting of the Ivy Way residents for April 5, 2007 at the town hall.

Nothing new to report on 345kV transmission line.

#### APPROVAL OF MEETING MINUTES MARCH 10<sup>TH</sup>, MARCH 12<sup>TH</sup>, AND MARCH 17, 2007

MOTION BY M. BOORD, SECONDED BY R. EDWARDS TO APPROVE MEETING MINUTES OF MARCH 10, 2007. ALL AYES

MOTION BY R. EDWARDS, SECONDED BY M. BOORD TO APPROVE MEETING MINUTES OF MARCH 12, 2007. ALL AYES

MOTION BY J. MCLAUGHLIN, SECONDED BY M. BOORD TO APPROVE MEETING MINUTES OF MARCH 17, 2007 WITH STATED CHANGES. ALL AYES

#### OLD/NEW BUSINESS

J. McLaughlin read a letter from James Richetelli, Jr., Mayor of the City of Milford in reference to a refund of \$81.71 that they provided for Durham's portion of participating in the consortium that fought the CL&P/UI 345kV power line upgrade project.

M. Boord stated that she received a letter from Lieutenant Stephen Castagliuolo, Troop F. Westbrook in reference to the 2004-2006 statistics that was requested by F. DeFelice, Public Safety Committee. She asked the Board if Troop F should be allowed the opportunity to make a presentation to the Board for an additional Resident State Trooper.

J. McLaughlin read from the same letter that F. DeFelice indicated that he was going to contact the Board in order to have the State Police placed on the agenda. He then stated that he wanted give F. DeFelice the opportunity to have a discussion with the Board first since he was unable to make tonight's meeting.

J. Szewczyk stated at the last meeting of Public Safety, Resident State Trooper - Peter DiGioia and his Sergeant stated they did not agree with the Public Safety Committee recommendations and they wanted a town-wide, joint meeting. He said that the committee listened to their comments and did not make any decision, that there was a difference in opinion.

R. Edwards commented that this was a big issue and the board of selectmen should not rush into this for the current budget season. She also stated that she had no issue with Troop F and the Public Safety Committee attending to present their differences. J. Szewczyk stated that they found discrepancies in the statistics reported and that the committee wanted to explore other options other than another resident state trooper. M. Boord stated that Lieutenant Castagliuolo should be kept informed of their status of being placed on the agenda.

R. Edwards asked J. Szewczyk about the committee's membership participation. He replied stating that the same five members continue to attend but the committee would like to have the opportunity to recruit new members. R. Edwards stated that F. DeFelice should make recommendations for new membership to the Board of Selectmen.

#### SELECTMEN'S COMMENTS

R. Edwards thanked Maryann Boord and her committee for a job well done. Very time consuming as well as an emotional issue. She thought that the public meeting went very well and she is glad that the town is taking this subject to a special town meeting.

#### ADJOURN

Meeting adjourned at 10:15 p.m.

Respectfully submitted,

Beth Moncata