

*Board of Selectmen's Meeting Minutes
7:00 p.m., October 22, 2007
Town Hall, 3rd Floor Meeting Room*

Meeting Minutes

Call to Order and Roll Call

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

Approval of the Agenda

MOTION BY JAMES MCLAUGHLIN SECONDED BY MARYANN BOORD TO AMEND THE AGENDA TO ADD REQUEST BY MELYNDA NAPLES OF DEERFIELD FARM FOR PERMISSION TO SERVE ALCOHOL ON OCTOBER 27, 2007 AT FALL FESTIVAL. ALL AYE

Request by Melynda Naples of Deerfield Farm for permission to serve alcohol on October 27, 2007 at Fall Festival

Melynda Naples was present to state that she is holding a fall festival on October 27, 2007 from 10-3 and asked permission to serve wine as part of a wine tasting.

MOTION BY JAMES MCLAUGHLIN SECONDED BY MARYANN BOORD TO GRANT PERMISSION TO SERVE ALCOHOL AT DEERFIELD FARM ON OCTOBER 27, 2007. ALL AYE

Public Comments

Attorney John Corona who represents Silver Eagle Corporation was present to request that the Board of Selectmen, acting as the Local Traffic Authority, for their support and permission to pursue the realignment of Haddam Quarter Road and Route 17. M. Boord stated that this intersection was previously on the Department of Transportations list, questioned if anyone knew what the current status was and suggested the Office of the First Selectman check to see if anything was in the works. Attorney Corona stated that a traffic study was done as part of the project and that traffic will increase in the next three years. Ever increasing traffic will cause this intersection to fail.

Attorney Corona said that Route 17 was a state road and noted that residents from Main Street would not be happy with the state plan, possibly taking too much property at Route 68.

M. Boord questioned if this was part of the Historic District. J. McLaughlin stated that Main Street at Route 68 it was designated as a Scenic Road. The only improvement made from the study was to put a northbound left turn on Main Street at Route 68.

M. Boord suggested scheduling a meeting between the Board of Selectmen, Department of Transportation, and the developer.

J. McLaughlin thanked Attorney Corona and stated that he would contact the DOT and arrange a meeting.

Discussion of Mountain Road

Attorney Milardo, representing clients from Mountain Road, was in attendance to discuss the status of Mountain Road. He stated that he spoke with Durham Town Counsel, Attorney Charles Andres and after a couple of discussions on research of the road concluded that there were records with much ambiguity or records that could not be found on the subject and that not much could be done. He also stated that he had not yet returned the most recent phone call from Attorney Andres.

He stated that his main reason for attending this meeting was to maintain continuity with the next board. He went on to say that the findings were kind of in keeping with what he had thought before, that the road had to have been abandoned. Clarification of the road was really important because of the zoning impact on the neighborhood and would like a resolution to the issue. He stated that this leaves the town with a lot of options and if the town pursues the purchase of Greenland Realty it will own one half of the road. He further stated that he felt with the elections so close that it would be unfair to the current First Selectman J. McLaughlin to commit to a decision at this time and he and his clients would be back after elections.

M. Boord stated that she originally expressed concern over reimbursable costs to the residents of Mountain Road for maintenance when Greenland Realty was brought up.

Attorney Marino explained that it was his opinion that if Mountain Road was abandoned it leaves the town without obligation of any part to his clients for maintenance. If the purchase of Greenland Realty goes through the town would own one half of the road and it would need to be determined if the residents would get fair value and compensation; all residents of Mountain Road would have a vested interest in the road including the town.

Discussion of Senior Tax Relief Ordinances

J. McLaughlin asked that the Board of Selectmen review Connecticut Statute # 12-129n and suggested that they attend the next Board of Finance meeting on November 20, 2007 to discuss. M. Boord asked if the Board of Finance discussed the ordinances at their last meeting. J. McLaughlin responded that the Board did discuss but had a lot of questions and took no action. He then asked Martin French if any of the members of the Senior Tax Relief Committee would also attend. M. French replied that five members of the committee attended the last meeting and asked the Board of Finance for a list of questions so they could provide answers in advance.

Reschedule November 12, 2007 BoS meeting

The Board of Selectmen agreed to reschedule the November 12th meeting due to the holiday on November 20, 2007 prior to the Board of Finance meeting.

Review of an Ordinance Establishing the Town of Durham Ethics Commission

J. McLaughlin asked the Board of Selectmen to review the proposed ordinance and would like to have a discussion at the next meeting.

Discussion on request to adopt an ordinance re: tax refunds and tax bills below \$5.00

Martin French, Tax Collector in a letter to the Board of Selectmen recommended that the Town of Durham adopt an ordinance allowing the town to retain excess tax payments provided the amount is \$5.00 or below, permitted under CGS section 12-129. He also referenced the waiver of any tax under \$5.00 permitted under CGS12-144C. He stated the administration of these small dollar transactions exceeds the amount of the refunds or payments actually costing all taxpayers more money. In July 2007 (35) bills were mailed in the amount of \$5.00 or below totaling \$96.35. As of October 2007 there were (65) refunds pending totaling \$84.26.

M. Boord stated that she personally feels that there was not a big difference and would prefer to give tax payers their refunds. She attributed this to adding postage expense to the tax refunds which would total \$111.00 and the average cost of billings leaving a \$39.00 difference.

M. French stated that there are other expenses to consider, the price of checks, printing, administrative time to prepare the check, reiterating that expenses go beyond the envelopes and stamps.

J. McLaughlin tabled this item until the next meeting.

Crooked Hill Road

Nothing to report.

345kV Transmission Line Update

J. McLaughlin stated that helicopters were stringing lines in Middletown the past week. Nothing new to report on Durham.

Approval of Meeting Minutes October 1, 2007

MOTION BY MARYANN BOORD SECONDED BY JAMES MCLAUGHLIN TO APPROVE OCTOBER 1, 2007 MINUTES. ALL AYE

Old/New Business

M. Boord asked for an update on the proposed Knox Box Ordinance. Beth Moncata stated that Town Counsel reviewed the ordinance and requested additional information from the Fire Marshall and the Building Inspector. As soon as this information is received this item will go back on the agenda.

Selectmen's Comments

None

Public Comments

Daniel Miramant expressed his frustration to the response of the State Police to a 911 call of a theft that occurred at his residence in which it took 45 minutes for them to respond while his wife stood outside alone. He also expressed concern over the fact that he spoke with Resident State Trooper Peter DiGioia about the progress of the investigation and was told that he didn't have the opportunity to investigate because he was inundated with paperwork and asked when is Police work getting done? He stated that he is sensitive to what recently happened in Cheshire and felt this was an unnerving experience to be helpless for 45 minutes.

J. McLaughlin said that he was really sorry that his wife did not get an immediate response and agreed that he would like to see RST P. DiGioia out on the road more. He stated that he would contact Troop F to find out what happened on the call and would talk to P. DiGioia to see how the First Selectman's office could help him with paperwork.

D. Miramant questioned if there was additional Trooper coverage on different shifts. J. McLaughlin explained that the town has one resident state trooper during the day and all other troopers are on patrol not dedicated to the town.

Adjourn

ADJOURNED MEETING AT 7:45 P.M.

Respectfully submitted,

Beth Moncata