

*Board of Selectmen's Meeting Minutes
7:00 p.m., November 20, 2007
Town Hall, 3rd Floor Meeting Room*

Meeting Minutes

Call to Order and Roll Call

Meeting called to order at 6:00 pm. James McLaughlin called the meeting to order and led with the pledge of allegiance. Renee Edwards present. Maryann Boord arrived 6:07 pm.

Approval of the Agenda

MOTION BY RENEE EDWARDS SECONDED BY JAMES MCLAUGHLIN TO APPROVE AGENDA. 2 AYE

Public Comments

None

Senior Citizen Board request for real estate appraisal

Elaine Melvin was present to ask the Board of Selectmen for permission to have property on Meeting House Hill Road and Route 17 appraised for a potential site for the senior citizen center. Specifics of the site included: two parcels, (1) 3.38 acres and (1) 3.61 acres. She stated that a local appraiser would charge a maximum of \$1,000.00 and asked if this amount could be taken out of reserve. Renee Edwards asked about the boards' consideration of the Fair Association property. Henry Coe stated that the piece of property wasn't big enough to also include a parking lot. R. Edwards asked if \$1,000.00 was a competitive price and questioned whether the appraisal should go out to bid. J. McLaughlin stated that he would have the finance director place the bid and asked E. Melvin to provide specific information ie, parcel and map number for bid.

Winter sand bid award

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO AWARD THE WINTER SAND BID AWARD TO DRVN ENTERPRISES, INC. WETHERSFIELD, CT. 3 AYE

M. Boord asked if the sand quality from DRVN Enterprises was comparable to its competitors. J. McLaughlin responded that Kurt Bober had investigated this and was satisfied.

Tax Refunds

MOTION BY MARYANN BOORD SECONDED RENEE EDWARD TO APPROVE (29) TWENTY NINE TAX REFUNDS IN THE AMOUNT OF \$1,922.88. 3 AYE

Fiscal Analysis, September and October

Fiscal analysis reports for September and October were received by the Selectmen.

Acceptance of resignation of Town Clerk and appointment to fill vacancy

The resignation of Laura Francis effective December 2, 2007 with gratitude was accepted.

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO APPOINT KIM GARVIS TO TOWN CLERK, EFFECTIVE DECEMBER 3, 2007. 3 AYE

Cable TV Advisory Council representative appointment

J. McLaughlin nominated Hank Robinson.

MOTION BY JAMES MCLAUGHLIN SECONDED BY RENEE EDWARDS TO APPOINT HENRY ROBINSON AS THE TOWNS REPRESENTATIVE ON THE CABLE TV ADVISORY COUNCIL. 3 AYE

Economic Development vacancy appointment

J. McLaughlin nominated Ona McLaughlin.

MOTION BY MARYANN BOORD AND SECONDED BY JAMES MCLAUGHLIN TO APPOINT ONA MCLAUGHLIN TO A TWO YEAR TERM ON THE ECONOMIC DEVELOPMENT COMMISSION. 3 AYE

Disbanding of the Regional Health District Committee

Maryann Boord stated that she was working with Beth Moncata to draft a letter along with the results of the committee's efforts to municipalities and health districts that participated.

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO DISBAND THE REGIONAL HEALTH DISTRICT COMMISSION. 3 AYE

Water Commission appointment

J. McLaughlin nominated Patricia Crowley for reappointment.

MOTION BY MARYANN BOORD SECONDED BY RENEE EDWARDS TO REAPPOINT PATRICIA CROWLEY TO THE WATER COMMISSION FOR A THREE YEAR TERM. 3 AYE

Water Commission request for \$2,476.50 to pay for expenses incurred during the fair for adequate water supply

J. McLaughlin explained that the Water Commission had received a billing from Connecticut Water in which \$2,476.50 was billed for a water tanker and licensed drivers that were put on stand-by during the Durham Fair weekend in case the new system failed to meet the demand. He stated that these charges were incurred to make sure the town lived up to its obligation to the Durham Fair Association to supply adequate water during the Fair. He noted the new system did work fine and the wells met the demand. R. Edwards asked if this would be a one-time expense. Maryann Boord commented that she did not want to do anything in opposition to the assurance given to residents at the Special Town Meeting that there would be no expenses to the town for operation of the water system. J. McLaughlin explained that the contract to furnish water to the Durham Fair Association was between the Town of Durham and the Fair Association. The Water Commission nor the users of the 3 water systems were responsible for paying the bill. R. Edwards suggested the Board of Selectmen consult with the Board of Finance on this matter. She suggested asking the Board of Finance to amend their agenda of November 20 to discuss this bill.

Discussion of Durham Manufacturing request for payment relating to work performed to replace Ambulance Corps septic tank

J. McLaughlin referred to a letter received from Durham Manufacturing along with an invoice from Vincent Cahill in the amount of \$12,950.00 for work performed to replace the Ambulance corps septic tank located in the Durham Manufacturing parking lot and to relocate the septic line to connect with Durham's septic system. He explained that bacteria was found in the wells at Durham Manufacturing and upon investigation found that the septic tank had no bottom in it and the exit pipe did not connect to anything. He further stated that this tank only serves the Durham Ambulance Corps.

MOTION BY MARYANN BOORD SECONDED BY RENEE EDWARDS TO BRING THIS REQUEST FOR PAYMENT TO THE BOARD OF FINANCE. 3 AYE

Advanced Environmental proposal discussion

J. McLaughlin stated that the ground water quality at 41 Main Street needed evaluation to see if the recent findings of contaminated soil could still be detected. He received a proposal for environmental consulting services from Advanced Environmental Interface, Inc. for a total cost estimate in the amount of \$9,300. M. Boord asked if this had gone out to bid. He replied no, but would ask the finance director to do so.

Approval of Agreement between Valley Shore Emergency Communications and the Town of Durham

J. McLaughlin read correspondence from town counsel stating that the VSECI contract had been reviewed and that a (180) day opt out was now included in the contract. Harry Hall asked what the terms were. J. McLaughlin stated that it was a 5-year term. H. Hall commented that he had issues with VSECI over time and was concerned that the town was paying for services that he felt VSECI was not providing. Scott Wright also noted that he has had problems in the past and agreed with H. Hall. H. Hall agreed to compile a list of issues and report back to the Board of Selectmen.

Discussion of proposed Knox Box ordinance

Information that was compiled by Dick McManus, Building Inspector, from a recent meeting of Fire Marshals and Building Inspectors from other towns regarding Knox box systems was reviewed. J. McLaughlin stated that Bill Witecki had contacted Colin Jefferies of the Ct State Fire Marshal's office and he was not aware of any conflicts in the fire code, building code, state statute or regulation. Harry Hall asked if the Board of Selectmen was familiar with a Knox box. R. Edwards stated yes, but she felt business owners were uncomfortable because many had not been educated on the purpose and other logistics regarding the Knox box. She referred to one of D. McManus's comments "What do you do with a merchant (drug store) that refused to comply with the ordinance"? H. Hall asked if the ordinance has a clause for a fine. Bill Witecki stated that there was a \$100.00 fine. Maryann Boord asked H. Hall how he felt about removing the fine. H. Hall stated that he felt the ordinance was a great idea in case of an emergency. Overall, he didn't feel the fine would be effective, but he did think that proper education of property owners would help them to understand the purpose, security, and the protection they would receive. M. Boord said that potential owners may be reluctant at first but over a period of time would eventually see that it works. She supports the ordinance only if the penalty is removed. J. McLaughlin disagreed stating that an ordinance is a law and that laws should be obeyed. Having no enforcement is a waste of everyone's time. B. Witecki said that if the fine was omitted from the ordinance officials could abate them during inspection. He would check with the state to see if this was an option. He also agreed that the public needs to be educated on the system and how it works. R. Edwards said that she would like to see this get passed, removing item (f) from the ordinance and bring to special town meeting. Scott Wright asked that the ordinance include senior, handicap, and other facilities listed in the ordinance. M. Boord read from the ordinance stating that these facilities fall under what was listed. She suggested moving forward as is omitting item (f) and if issues arise the ordinance can be revisited.

MOTION BY RENEE EDWARDS SECONDED BY MARYANN BOORD TO REMOVE ITEM (F) FROM ORDINANCE AND BRING TO SPECIAL TOWN MEETING. 3 AYE

Discussion on request for assessment fixing

J. McLaughlin stated that John J. Ozycz from J&T Route 68 Property Management LLC requested a tax abatement for 39 Ozick Drive. R. Edwards stated that the board needed to wait until the building was finished and the building was assessed before it could go to town meeting.

Discussion of Public Safety Committee recommendations ie, Pent Road, Saw Mill, Parmelee Hill, Tuttle Road, and Carriage Drive

Discussion of correspondence from the Public Safety Committee was reviewed as follows:

- A.) Traffic improvement to Pent Road
 - 1.) Centerline stripe already done
 - 2.) Three speed limit signs already exist, no need for bigger signs
 - 3.) School Bus Stop Ahead sign was approved but need to know where the sign should be posted.
 - 4.) Smart machine has already been placed on road prior to this recommendation.

In addition, the Public Safety Committee noted that they were investigating alternate measures to slow vehicular traffic with the installation of rumble strips and speed humps. M. Boord commented that she felt rumble strips were very dangerous. J. McLaughlin also agreed stating that they create ice ponds

and the snow plows have a difficult time with them. H. Hall also stated that the Fire Department is not in favor of speed humps.

B.) Intersection improvements: Saw Mill, Parmelee Hill and Tuttle Roads

- 1.) The removal of brush and vegetation has already been attended to by the public works department along with the trimming of trees.
- 2.) Install Intersection Ahead sign on Parmelee Hill Road, agreed upon.
- 3.) Smart machine has already been in place.

H. Hall asked how the committee gets these complaints and asked if the committee drives around town or if residents attend their meetings. J. McLaughlin commented that he forwards requests from residents to the committee and residents also attend meetings. S. Wright stated that he would like to see the committee renamed. J. McLaughlin stated that he will be a member of the Board of Selectmen and would bring this up at the next meeting.

C.) Traffic Improvements to Carriage Drive

- 1.) Installation of Slow down children at play sign, agreed upon. Need to request location from Public Safety Committee.
- 2.) J. McLaughlin stated that he felt peer pressure needed to be put on fellow residents for speeding on the street.

Crooked Hill Road

J. McLaughlin read a letter from Attorney Rebecca Adams approving the insurance certificate supplied by Brian Ferris Construction LLC to the benefit of the Town of Durham in the amount of \$4 million dollars.

345kV Transmission Line Update

Nothing to report.

Approval of October 22nd and November 14, 2007 meeting minutes

MOTION BY MARYANN BOORD SECONDED BY JAMES MCLAUGHLIN TO APPROVE OCTOBER 22, 2007 MEETING MINUTES. 2 AYE (R. Edwards abstain)

MOTION BY MARYANN BOORD SECONDED BY JAMES MCLAUGHLIN TO APPROVE NOVEMBER 14, 2007 MEETING MINUTES. 2 AYE (R. Edwards abstain)

Old/New Business

MOTION BY MARYANN BOORD SECONDED BY RENEE EDWARDS TO AMEND THE AGENDA TO ADD NONDISCRIMINATION CERTIFICATION. 3 AYE

Laura Francis requested the Board of Selectmen adopt as its policy a nondiscrimination certification required by the State of Connecticut.

MOTION BY MARYANN BOORD SECONDED BY RENEE EDWARDS TO ADOPT A RESOLUTION OF NONDISCRIMINATION CERTIFICATION. 3 AYE

Selectmen's Comments

R. Edwards asked for an update on the skating pond. J. McLaughlin said that Tom Russell was waiting for the water level to go down to pour the weir. He also stated that he spoke with Kurt Bober who said that he didn't think the original plan was being followed. J. McLaughlin said that he would go to the site. Harry Hall offered the help of the fire department to reduce the water level if need be.

Maryann Boord asked that the signs at little league field for Al Herzog and Stan Atwell be replaced. She suggested calling Al Herzog for the correct information for the signs. J. McLaughlin stated that he would do so.

Maryann Boord questioned whether or not she would continue to be a stakeholder for the Economic Development Commission for the meeting being held in December. Both R. Edwards and J. McLaughlin agreed that she would.

R. Edwards asked the board if the next meeting scheduled for November 26th should be cancelled due to the proximity of the current meeting. Both J. McLaughlin and M. Boord agreed to cancel.

Public Comments

Laurie Stevens thanked both Maryann Boord and Renee Edwards for their service on the Board of Selectmen.

ADJOURNED TO EXECUTIVE SESSION AT 7:20 PM.

Executive Session - Real Estate

Adjourn

Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Beth Moncata