

Board of Finance Meeting
6:30 p.m., Tuesday, February 17, 2009
3rd Floor Meeting Room, Town Hall

Minutes

Members Present: Fran Korn, Rosemarie Naples, Elmer Clark, Rob DeSimone, Jay Berardino, Loraine Coe

Others Present: Maryjane Malavasi, Laura Francis, John Szewczyk

Call to order

Fran Korn called the meeting to order at 6:30 p.m. and requested that agenda item #7 be moved to item # 2.

Additional Appropriations - 1010 BoS Consultants - Safety Evaluation

Fran Korn opened up the meeting for comment from the residents in attendance.

Donna Louisa of Tri Mountain Road, a resident of Durham for 25 years, stated the last time her home was hit with a bullet strike was Memorial Day 2008 weekend when it came into her living room; after safety improvements were made to the Blue Trail Range. She stated the CT State Police criminal investigation proved no conclusive evidence although the report stated it was likely that the bullet strikes were coming from the Blue Trail Range. She stressed that safety was an issue and the concern she had about safety improvements made at the Blue Trail Range noting the following; baffles were not permanently fixed and there was no commitment from the Range to maintain safety improvements. She stated she was concerned about the leadership in town, with the split decision on the safety evaluation, noting she was happy the Board of Selectmen was supporting the evaluation. She questioned the Board of Finances concern over a lawsuit and reiterated that this was about safety and asked them for consideration on funding the evaluation. She stated she feels that there is a need to make sure long term safety improvements are made at the range.

Richard Dlugos of 46 Etzel Drive stated a bullet strike came through his den window. He attended all meetings in which the Board of Selectmen held and at the time was very glad to see that everyone was concerned but stated he is very disappointed, with the most recent set of bullet strikes, to find the baffles at the range might have been removed. He asked the Board of Finance to help solve this problem.

Frank DeFelice Chairman of the Public Safety Committee acknowledged that it is a very difficult time for everyone financially and stated the PSC is looking at additional police protection to make the town stronger. He felt if the Board of Finance approves the funding for the evaluation it would be money well spent on a known problem and that the town owes this to the residents.

Pat DiNatale of 35 Catherine Drive stated his home has been struck three times and his barn once and was told that the most likely source of the bullet strikes was the Blue Trail Range. He expressed his frustration over a recent bullet strike to his barn on December 12th coming from the same direction of the BTR and questioned the safety improvements that were made. He talked about the question of what this evaluation would serve stating that the improvements done at the BTR were made by their personnel and an independent study would inform the town on what would make the range safe; with this information the town could ask the Attorney General to move forward to make the range safe. He reiterated he feels the Blue Trail Range should remain open to use his resources if it is safe, if it is not safe it should be closed.

Peter Lowe of Tri Mountain Road stated his home has been hit many times and also expressed his concern over the use of the park. He highly recommended the town do the study for everyone involved.

Ken DiVito of Tri Mountain Road expressed his shock and disappointment that the Board of Finance did not approve funding at their prior meeting. He stated the bullet strikes were affecting an entire neighborhood of sixteen homes and feels the money for the evaluation would be well spent. He strongly suggested the Board of Finance approve funding.

Al Miller of Madison Road made reference to the confusion he felt over recent television coverage of bullet strikes relating to only one person; after attending this meeting he is now aware that several homes are being hit. He stated he frequents the range and has seen the improvements making note that people hunt up and down the ridge line. He came to support the Blue Trail Range but is now torn after hearing from the residents.

Jim Piotrowski of 48 Bailey Road stated this issue has gone on for four decades and feels the town is incredibly lucky that no one has been killed. He asked the Board of Finance to fund the evaluation stating the town needs closure.

Seth Miller of Tri Mountain Road stated his home and the home of his neighbor across the street have been hit with bullet strikes. He asked what would happen if someone was in the street at the time.

Melissa DiVito of Tri Mountain Road stated she was tired of coming to these meetings. She has lived at her residence for twenty-six years and has found a total of eleven rounds embedded in different parts of her home. She is tired of begging and stated the study needs to be done to make the range safe.

Debbie Sokol of Howd Road talked about finding bullets in her driveway and windows that could not have come from the Blue Trail Range and wanted to make sure the funding for the evaluation would be looking at all options as to where the bullets could be coming from. Laura Francis confirmed the evaluation would be specific to the Blue Trail Range and commented that her situation was a separate issue and the State Police should investigate it. She continued by saying the goal of the evaluation is to help the residents and the Blue Trail Range stating she did not want to see the BTR closed down unless it cannot be operated in a safe way.

Rosemarie Naples asked Frank DeFelice if anyone invited the owners of Blue Trail Range to Public Safety Committee meetings. F. DeFelice responded no, but an agenda was posted. R. Naples stated she visited the Blue Trail Range and acknowledged that BTR paid \$37,000 for a safety study and put the recommendations of this study into practice. She then asked who the vendor was that did this study. Pat DiNatale stated that Vargus and Associates did the study and noted that this same vendor stated that no range could be safe. R. Naples asked if bullet strikes have happened since the improvements. P. DiNatale and D. Louisa confirmed yes. L. Francis commented that the Board of Selectmen held two meetings on this subject that were heavily attended noting that Blue Trail Range representatives also attended.

Lorraine Coe stated her concern over the use of assault rifles at the Blue Trail Range commenting she has been and used the range for years and she was under the impression that they are not permitted. She asked why the baffles were taken down.

Attorney Craig Fishbein representing the Blue Trail Range commented they were never invited to attend Public Safety Meetings and were also not invited to the first Board of Selectmen's meeting. He did confirm they were invited to the July 20th Board of Selectmen's meeting. He questioned who selected the expert for this evaluation and also the dollar amount stating the 1st request of \$21,000

required town meeting approval and now the 2nd request for \$19,000 does not require town meeting. Fran Korn disagreed stating the Board of Finance follows the town charter to appropriate monies.

John Szewczyk commented the town has set precedence spending town funds for this evaluation noting prior issues such as the power lines and Main Street water issues. He talked about the differences of this evaluation to the study done by the CT State Police; a completely different standard, what is needed to make the range safe, and what government should provide; quality education, safe roadways and public safety, stating this evaluation falls into one of these categories. He then asked the Board of Finance for their support.

Attorney Craig Fishbein asked who the independent agency was that would be conducting the evaluation. L. Francis stated she talked with three different vendors and also sought the advice of the Connecticut State Police when she chose Golden, Weise and Associates. Attorney Fishbein asked who the other vendors were.

Donna Louisa asked Attorney Fishbein if the Blue Trail Range implemented all improvements that Vargus and Associates recommended. Attorney Fishbein commented that the range not only implemented all recommended improvements but exceeded them.

F. Korn said he felt this was a matter of public safety and the town's obligation to its residents; it was not a matter of affordability and stated he would like to see the evaluation go forward.

R. Naples stated concern over D. Louisa's comment that baffles at the range were taken down and felt that it would have been nice to have someone from the range to answer these questions. Attorney Fishbein stated since the baffles were installed this past summer, no baffles have been removed.

FRAN KORN ASKED FOR A MOTION.

MOTION BY JAY BERARDINO TO APPROPRIATE \$19,756 FROM UNDESIGNATED FUND BALANCE TO #1010-204 BOS CONSULTANTS FOR AN INDEPENDENT SAFETY EVALUATION OF BLUE TRAIL RANGE. SECONDED BY LORAIN COE. OPENED FOR DISCUSSION.

E. Clark stated he has lived in town since 1950 in an area where hunters were shooting all the time with no incidents of bullet strikes; he commented if bullets have to clear the mountain they would not land on Tri Mountain Road and it is hard for him to believe that's where the bullets are coming from.

J. Berardino stated he felt the Board of Finance was not there to set policy; the Board of Selectmen heard the report from the Public Safety Committee and is looking for funding for the evaluation.

R. DeSimone asked if the study was just to evaluate safety at Blue Trail Range and what would happen if the range owners do not cooperate. L. Francis stated yes it was to evaluate safety at the range and that the Attorney General's office would help if the owners do not cooperate; if in fact the vendor could not get access to the property, no money would be spent.

FRAN KORN ASKED FOR VOTE:

4 AYE, FRAN KORN, LORAIN COE, ROB DESIMONE, JAY BERARDINO.

2 NAY, ELMER CLARK, ROSEMARIE NAPLES

Minutes

MOTION BY ROB DESIMONE SECONDED BY ROSEMARIE NAPLES TO APPROVE JANUARY 20, 2009 MEETING MINUTES. 5 AYE, L. COE ABSTAIN

Invoices

MOTION BY LORAIN COE SECONDED BY ROSEMARIE NAPLES TO APPROVE INVOICE FROM BETH MONCATA IN THE AMOUNT OF \$52.50 FOR RECORDING SECRETARY FEES. ALL AYE

Correspondence

NONE

2009-2010 Budget Presentation from Board of Selectmen

L. Francis thanked Maryjane Malavasi for helping out during the process and also the Selectmen for working hard on the budget since December. She stated budget goals the Selectmen used when determining the budget; to preserve and protect the capital assets of the Town of Durham, to promote the public safety of the residents of the Town of Durham, to encourage efficiency of town governmental operations, and to stabilize property tax rate. Working off a PowerPoint presentation, L. Francis reviewed the following budget summary; 2009-2010 proposed budget of \$5,195,948, a 2.64% decrease of \$140,991 from FY08-09. She noted budget challenges; state and federal decrease, drastic decreases in local and state revenue, town clerk revenue and interest income; health insurance increases, aging municipal buildings that need to be addressed and contractual agreements. She talked about budget highlights; 55% of town budgets presented decreased or remained flat, 25 hours per week staff reduction without reducing services, and senior management raises allocated to contingency. She talked about increasing funding for town building maintenance, new clerical staff for the Resident State Trooper, a new town wide emergency notification system, a new expanded summer recreation program with revenue offset, and a new increased building and health fee structure. She presented the operating budget by program and noted she was disappointed in the capital improvement budget feeling it was not well budgeted but made note that when times get better the town can make this up. She presented capital and reserve budgets by program, statistics on gross operation budgets, contingency, capital, debt & reserve budgets, gross operating and CIP budget combined and general government net budgets. Possible savings could include; staff reorganization/reduction, furloughs, reducing hours of operation for the Town Hall and Library, the reduction of services, and the deferment of maintenance of roads, buildings, and property although she did not recommend these measures at this time. Long range goals discussed were budget stabilization, a long range capital plan, a fiscal policy manual, a town property maintenance plan and public safety. She then opened the meeting up for discussion.

E. Clark questioned elected officials salaries showing in individual budget lines; Maryjane Malavasi explained they would be reallocated to the contingency line.

R. DeSimone asked for confirmation that Governor Rell would be removing funding for the Resident State Trooper and if RSD#13 had a resource officer. L. Francis stated yes this was true, the town is required to give back 85% of his salary this year and next year would be 100%; yes, RSD#13 has a resource officer. She also stated that CCM, COST and other First Selectmen would be lobbying to restore funding.

F. Korn asked if there were any specific department budgets that she would like to discuss; both with reductions or increases. L. Francis stated the Public Works departments 1995 plow truck needs to be replaced but there were no funds in place for this. F. Korn stated he has looked at the list of PW equipment commenting there are a lot of vehicles and he is not sure how they are all utilized and or needed. L. Francis asked that the Board of Finance wait to get results from consultant study before making a decision.

L. Francis stated it was time to address the Volunteer Ambulance Building noting that in three to five years there may be an umbrella building for all public safety but in the meantime this building needs to be made habitable. Quotes are being solicited for a new roof and Town Engineer, Brian Curtis is working on an architectural building evaluation of the building with specifics of how to approach the following elements; leaking roof, re-point or replace chimney, sealing of garage floor to drain drip-age, basement water and mold problems, sleeping and meeting quarters for personnel, prioritize and budget cost estimates, and existing and future municipal uses of the building. She stated the Board of Selectmen put \$100,000 in the budget for building maintenance to cover what may come from this study.

L. Francis also talked about the receipt of a consent order in relation to DMIAAB (Durham Middlefield Interlocal Agreement Advisory Board) to bring the site up to compliance on its storm water permit that brings a \$41,000 penalty with it. She stated she has attended a meeting with the State DEP, Dom DelVecchio, Brian Curtis and Geoff Colegrove and negotiated a 20% reduction to \$35,000; the DEP is requesting the town do a supplemental environmental project. J. Berardino asked what Durham's portion of this would be. L. Francis responded that \$35,000 would be funded out of DMIAAB's budget.

L. Francis also stated she found out the Public Works facility has no general storm water permit and there will be costs associated to bring up to compliance.

Senior Tax Deferral Interest Rate for 2009-2010

MOTION BY LORAIN COE SECONDED BY ROSEMARIE NAPLES TO SET SENIOR TAX DEFERRAL INTEREST RATE AT 5% FOR 2009-2010. ALL AYE

2008 Annual Report Update

M. Malavasi stated there were a couple minor changes to make, the printer is on vacation until March 1st but expects to have the annual report completed by mid March.

Public Comment

None

Any other business that comes before the board

L. Francis brought the Board up to date on the study conducted on two oil tanks; one at the public works garage and one at the public library. Reports for both tanks have come back clean and she is getting a quote on removing the tank at the library.

Winter budget is at 80% currently.

The ongoing issue of lighting at the Town Hall is being addressed. Some of the light bulbs have been removed and Public Works is working with an electrician to change some out.

Adjournment

MOTION BY ROSEMARIE NAPLES SECONDED BY ROB DESIMONE TO ADJOURN MEETING AT 8:10 P.M. ALL AYE.

Respectfully submitted,

Beth Moncata