

*Board of Selectmen's Meeting  
7:00 p.m., Monday, April 27, 2009  
3<sup>rd</sup> Floor Meeting Room, Town Hall*

### Meeting Minutes

#### Call to order and roll call

Laura Francis called the meeting to order at 7:00 and led with the pledge of allegiance. John Szewczyk and James McLaughlin were in attendance.

#### Approval of the agenda

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO AMEND AGENDA TO ADD REQUEST FOR EXCEPTION TO BUILDING INSPECTION FEE BY RACCOON CLUB. ALL AYE

#### Public comments

Joe Pasquale from the Farmers Market Committee asked the Board of Selectmen to approve larger signage to be placed on the north and south end of the Town Green. L. Francis stated she would email him a Town Green Sign Request Form to complete and return for authorization.

#### Public Safety Committee presentation

L. Francis explained that the Board of Selectmen charged the Public Safety Committee with researching the Towns existing police protection and to offer suggestions commenting that the committee worked on this for the better part of the year.

Frank DeFelice presented the committees report "Analysis of Need and Options for Increasing Police Protection in the Town of Durham". The analysis contained information on the Towns present situation, considerations, cost benefit analysis process, methodology, component parts, and options considered. The Committee voted to recommend the following:

- Recommends that Board of Finance appropriate monies, approximately \$20,000-\$40,000 per annum, to be used for providing additional state police coverage on an overtime, task-specific basis.
- Re-stated its prior recommendation to utilize a part time administrative assistant to free up the Resident State Trooper.

James McLaughlin asked if the current Resident State Trooper would receive the temporary duty overtime. F. DeFelice stated the Resident State Trooper is given the first right of refusal for overtime and it is only for a specific block of time.

L. Francis asked what the difference was between hiring a retired police officer and a constable. F. DeFelice stated retired police officers are trained and licensed; constables may require training and insurance.

John Szewczyk stated he was a supporter of local control and understands the negative cost of a town department but questioned the disadvantage of an individual trooper (varying person every time or from another troop) and asked if this would be a problem. F. DeFelice commented that the temporary duty personnel could vary but noted the Town dictates what needs to be done. As far as continuity of personnel the Resident State Trooper gets first right of refusal and noted sometimes the Troop prefers to send someone into Town who has no town ties.

L. Francis thanked him and congratulated his committee for putting the analysis together stating the report will allow the Board of Selectmen to evaluate based on facts and less on emotion.

Resident State Trooper Peter DiGioia asked L. Francis and J. McLaughlin if the Town has ever been in a position where they have asked for something from the RST Program that they didn't get. J. McLaughlin stated no, he felt there is control over the program and the Town has a well trained State Trooper. L. Francis stated no, she absolutely has no issues with the RST Program and thought the

committee was coming from a literal/technical stand point. J. Szewczyk commented that he felt the committee looked at this as a program and not an individual. J. McLaughlin added that the Town has the option of changing their RST at will and this proves that the Town does have control over the program. Wendy Manemeit stated the committee looked at the mechanics and infrastructure of the RST Program reiterating not the individual.

L. Francis asked if the committee looked into grant opportunities. F. DeFelice stated they did and talked about the movement underway right now in Hartford that is restructuring certain grants. L. Francis asked if he could forward the grant information to her office.

J. Szewczyk thanked F. DeFelice and the committee for a great report. J. McLaughlin thanked the committee as well and questioned why Middlefield was not included in the cost benefit analysis. F. DeFelice said he would get that information to him.

L. Francis asked if the committee was able to locate a "new" current Constable program; not one that has been in existence for a long time. F. DeFelice responded no.

Francis Willett questioned if the committee asked for a recommendation from Troop F. F. DeFelice said no. L. Francis commented that she felt Troop F would be very reluctant to make a formal recommendation.

Joe Pasquale asked if the public would have input in the process moving forward and recommended putting the report on the Towns website for the residents to review. L. Francis commented yes, but the Board of Selectmen needed to time to review and digest the report and agreed to post the report to the website. J. Pasquale questioned what the \$20,000-\$40,000 would cover. F. DeFelice stated 713 hours; 180 days of 4 hour shifts.

#### **Agriculture Commission Ordinance**

L. Francis stated the Agriculture Commission along with Ben Bowell from American Farmland Trust reviewed several ordinances and structures of ordinances within Connecticut and other states and came up with the ordinance being presented. Dave Zymelski, a member of the Agriculture Commission stated he felt the proposed ordinance would be great for the Town on all accounts.

**ESTABLISHED:** By Ordinance adopted

**CHARGE/DUTIES:** The Agriculture Commission shall be an advisory board to the Board of Selectmen with the following charges and duties:

A. Information - To serve as a conduit between non-profit agencies and local farmers. To serve as an agricultural clearinghouse by creating an informational website and map of local farms. To chart land use in Durham to support a balance between agriculture, preservation and other land uses.

B. Education - To recommend changes to language and practices across town departments and other boards and commissions regarding a local definition for agriculture, farming and farms. To educate town government about agricultural laws, such as Right to Farm, and legal issues regarding farm machinery, buildings and operations. To provide information and guidance on agriculture-related zoning issues to town departments and other boards and commissions as necessary. To support young farmers and new farmers. Support local, regional and state vocational agriculture education programs.

C. Conflict Resolution - To serve as a resource for information and non-binding advice for residents, established town committees and departments concerning the resolution of agriculture related conflicts.

D. Economic Opportunities - To identify innovative opportunities for farming additional lands in Durham. To promote opportunities for residents and local businesses to support and value farming. To serve as a conduit between non-profit agencies, funders, and local farmers. To work to create a climate that supports the economic viability of farming as a career in Durham. To create a sustainable agriculture community.

**ELECTED/APPOINTED:** Appointed by the Board of Selectmen

**MEMBERSHIP:** The Agricultural Commission will consist of 5 members and 3 alternates. Members and alternates will be appointed by the Board of Selectmen in accordance to Connecticut General Statutes and Town Charter. Insofar as

practical, members appointed shall be representative of all groups interested in the management, protection and regulation of agriculture as defined by Connecticut General Statutes 1-1q, particularly those directly involved in agriculture. The failure of a voting member to attend four (4) consecutive meetings of the commission shall constitute cause for the Board of Selectmen to remove the member and fill the position thus vacated.

**LENGTH OF TERM:** Staggered 3-year terms, with initial appointments to be 3 members for 3 years and 2 members for 2 years; 1 alternate to be for 3 years and 2 alternates for 2 years. Members of the Commission shall serve without pay.

**MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO BRING AGRICULTURE ORDINANCE TO PUBLIC HEARING.**

**DISCUSSION:** J. McLaughlin requested adding the Commission shall be an advisory board "to the Board of Selectmen". L. Francis agreed.

**MOTION PASSED.**

**Set Public Hearing date**

**MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO SET MAY 18, 2009, 8:00 P.M. PUBLIC HEARING DATE FOR AGRICULTURE COMMISSION ORDINANCE. ALL AYE**

**Set date and approve call for Annual Budget Meeting**

TOWN OF DURHAM  
CALL TO THE ANNUAL BUDGET MEETING

The eligible voters of the Town of Durham are hereby warned that the ANNUAL BUDGET MEETING will be held in the Julian B. Thayer Auditorium, Coginchaug Regional High School, at 8:00 p.m. on Monday, May 11, 2009, to consider the following items:

1. To elect one member to a three-year term on the Regional School District #13 Board of Education, said terms to expire June 30, 2012.
2. To appoint two members to a two-year term on the Durham-Middlefield Interlocal Agreement Advisory Board, said term to expire June 30, 2011.
3. To authorize the Board of Selectmen to accept any and all Town Aid highway funds (Transportation Infrastructure) which may be due and available to the Town of Durham for the Fiscal Year ending June 30, 2009
4. To adopt a total town budget for Fiscal Year 2009-2010 in the amount of \$5,124,880 less state and local estimated revenue of \$1,465,617 for a net town budget of \$3,659,263 as recommended by the Board of Finance at its meeting of March 31, 2009.
5. To adopt a five-year Local Capital Improvement Plan.

Laura L. Francis  
First Selectman

John J. Szewczyk  
Selectman

James W. McLaughlin  
Selectman

Dated in Durham, Connecticut, this 27<sup>th</sup> day of April 2009

**MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO SET DATE OF MAY 11, 2009 AND APPROVE CALL FOR ANNUAL BUDGET MEETING. ALL AYE**

**Approval of Board of Selectmen meeting minutes April 13, 2009**

**MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPROVE MEETING MINUTES OF APRIL 13, 2009 AS PRESENTED. ALL AYE**

**Request for exception to Building Inspection Fee by Raccoon Club**

L. Francis stated the Raccoon Club, a 501c 7 non-profit organization, requested an exception to the Towns building inspection fee and asked the Selectmen if they would agree to waive the fee based on their non profit status.

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO EXEMPT THE RACCOON CLUB FROM BUILDING INSPECTION FEE BASED ON NON PROFIT STATUS. ALL AYE

**Old/New business**

L. Francis discussed the following old business.

1. Two projects were submitted to Midstate Regional Planning for road preservation and resurfacing for ARRA stimulus transportation funding; Maiden Lane and Higganum Road.
2. A draft Feasibility Study was received from Fuss & O'Neill which is not a public document yet. She welcomed the Selectmen to review and stated a public hearing will be scheduled some time in June.
3. A draft Management Study for the Public Works Department prepared by Randi Frank Consulting has been received. She welcomed the Selectmen to review it and stated a joint Board of Selectmen and Board of Finance meeting will be scheduled for a presentation.
4. A tentative pension agreement has been reached with the Union; a consultant will need to be hired to draft the plan document. J. McLaughlin asked if this was done in cooperation with the school. L. Francis stated the funds are in the same pool but the Town can negotiate separate contracts. She anticipates this agreement will reduce administrative costs.
5. First quarter 2009 Ground Water Quality Assessment results for the Durham Firehouse site have been received from AEI, Inc. which came in non-detect at all well locations. Ground water flow direction was similar to previous quarterly rounds.
6. The Middlefield Board of Selectmen has voted to participate in the Emergency Notification System and to add the expense to their fy09-10 budget.

L. Francis discussed the following new business.

1. Received notification that the Town received \$2,220.00 for fy09-10 Emergency Management Performance Grant. L. Francis thanked Francis Willett.
2. Four road reconstruction projects were submitted to Congressman Joe Courtney and Congresswoman Rosa DeLauro; Higganum Road, Maiden Lane, Pent Road and Parmelee Hill Road. All are considered urban collector roads with safety, drainage, and road construction needs. L. Francis noted that the Transportation Bill Program (if renewed) funding would be available next year.
3. L. Francis received correspondence that Pickett Lane Culvert is included on Congressman Joe Courtney's appropriations list.
4. The Town of Durham is eligible for \$9,100 in the Recovery Act, Justice Assistance Grant Program. She is working with the Connecticut State Police on the application process.
5. The Town's Spring/Summer Guide is available on the web or in the Town Clerks office.

**Selectmen's comments**

None

**Public comments**

None

**Adjourn**

MOTION BY JAMES MCLAUGHLIN SECONDED BY LAURA FRANCIS TO ADJOURN MEETING AT 8:00 P.M.

Respectfully submitted:

Beth Moncata