

*Board of Selectmen's Meeting  
7:00 p.m., Monday, June 8, 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 p.m. Kyle Backus led the pledge of allegiance.

John Szewczyk and James McLaughlin present.

Approval of the agenda

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO AMEND AGENDA TO INCLUDE JOHN PHILIP DISCUSSION OF SENATE BILL 997. ALL AYE

Public comments

None

Kyle Backus Eagle Scout project discussion

Kyle Backus from Troop 27 was present to discuss and get approval for a proposed blueprint he prepared for a welcome sign that he would like to place at either the firehouse on Main Street or near the skating pond on Route 68. The nature of the sign would re-state the speed limit, pedestrian and cycling information and other public safety related messages and would be interchangeable on either side. Frank DeFelice commented that the Public Safety Committee unanimously supports the idea. John Szewczyk commented that he was glad to see this coming to fruition and that it was great to see someone taking the initiative to do so. James McLaughlin commented that he did not know how the sign would fit in with Planning & Zoning regulations or the Historic District Commission. Laura Francis stated the Board of Selectmen would only be able to approve the concept of the sign and that he would need to bring the sign forward to appropriate town regulatory departments and the State Department of Transportation.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE THE CONCEPT OF SIGN AS PRESENTED PENDING APPROVAL OF ALL REGULATORY COMMISSIONS. ALL AYE

Farmers Market - Melynda Naples

Melynda Naples, representing the Farmers Market, was present to request permission to hold the market on the southern part of the Town Green noting the availability of shade and better parking. L. Francis noted that the original agreement stated that the market would be held on the north side of the Green between Maple Avenue and Broadway but was temporarily moved to the south end this year due to the planting of new grass; she thanked the neighbors and farmers market for complying during this time. L. Francis continued by saying she has received a steady stream of requests this year to hold the market at the south end and pointed out that from a neighbors point of view the market is only 3 hours a week, and from the farmers market view there is only a 100 foot difference stating she hopes that the neighbors and the farmers market can come together with a solution.

M. Naples commented that her original wish for the market was to be held on the south end and asked L. Francis if she has received any complaints this year. L. Francis responded no.

J. McLaughlin stated he felt the Town Green belonged to everyone but also knows it can be an inconvenience for neighbors noting he felt the south end is a much more pleasant place for the market and suggested what he thought would make it more palatable for the neighbors. 1.) only allow vendors to unload and load at the south end, 2.) do not allow parking for vendors or market goes from 3:00-6:00 south of Broadway noting this is a two way street. Dave Zemelsky commented that he liked this

idea and thought it was a good compromise. He also commented on why he thought holding the market on the south end was important; he talked about the vendors being very serious and interested in making a profit in agriculture and the reality of the south end of the Green being desirable as an opportunity to see what a huge asset the market could be to the town.

M. Naples agreed with the compromise and asked for an exception for (2) large box trucks to park opposite the Fair House noting they work out of their trucks.

A vendor in the audience agreed with the compromise and posed the following questions; how long do vendors have to unload, who is going to stop market goers from parking south of Broadway, what time can vendors park cars to reload, and asked why this is all happening for one person. J. McLaughlin asked if the Fire Police were helping out this year with parking. M. Naples stated the dollar amount requested last year was too costly for the market.

George Eames stated that he and his wife support the market but are not in favor of it being held on the south end of the Green noting that parking is a problem beginning on Canfield Lane and Town House Road commenting it's an accident waiting to happen. He also noted there has been parking on both sides of Town House Road and there is no room for emergency vehicles and often his driveway is blocked. He stated he felt the use of Fire Police last year kept the traffic and parking much better controlled and there was no control this year.

Francis Willett suggested talking to the Durham Fair Association about the use of metal event fence that would allow the market to block off space and agreed that Town House Road needs to be cleared for emergency vehicles.

L. Francis asked G. Eames if parking issues could be fixed would he object to the use of the south end of the Green. G. Eames stated he felt the town should stick to the original agreement. L. Francis stated that last years agreement was subject to review.

J. Szewczyk commented that the Town Hall is still open for business at 3:00 and from that perspective holding the market on the south end is better for patrons wanting to visit the Town Hall. He commented that last year was a trial period and noted that he would like to work this out with the neighbors and suggested that the cost incurred by the market for parking could be included as a budget item next year and offered the option of looking into using the town's traffic controller this year.

Joe Pasquale stated he agreed with J. McLaughlin's compromise and suggested a time period be set to revisit any concerns. He also questioned the expansion of the market noting the maximum is set at 15 vendors and asked if the Board would be reconsidering this.

L. Francis reiterated the following considerations agreed upon at the meeting:

- 1.) Vendors may load and unload their goods at any time before and after market hours.
- 2.) There is no parking south of Broadway for any vehicles.
- 3.) Public Works department will provide cones and signage.
- 4.) Farmers Market will seek out volunteers to put up and take down cones and signage.
- 4.) Two box trucks will be allowed to park north of Broadway during fair hours.

**MOTION BY JAMES MCLAUGHLIN SECONDED BY LAURA FRANCIS THAT THERE WILL BE NO PARKING ACROSS FROM RESIDENT HOMES, SOUTH OF BROADWAY, BETWEEN THE HOURS OF 3:00 P.M. AND 6:00 P.M. VENDORS CAN LOAD AND UNLOAD BEFORE AND AFTER. THE TOWN WILL FURNISH CONES AND SIGNAGE; THE FARMERS MARKET COMMITTEE WILL SEEK OUT VOLUNTEERS TO PUT UP AND TAKE DOWN. THE COMMITTEE SHOULD CONSIDER TRAFFIC CONTROL PERSON. ALL AYE**

#### **Senior Citizen Board resignation**

**MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ACCEPT WITH GRATITUDE THE RESIGNATION OF SHIRLEY BIELEFIELD FROM THE SENIOR CITIZEN BOARD. ALL AYE**

#### **Economic Development resignation**

**MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ACCEPT WITH GRATITUDE THE RESIGNATION OF HUGH CURLEY FROM THE ECONOMIC DEVELOPMENT COMMISSION. ALL AYE**

**John Philip discussion of Senate Bill 997**

J. Philip, Town of Durham Assessor, talked about Senate Bill 997 that the governor signed into law that would allow towns scheduled to implement revaluations for 2008, 2009 or 2010 Grand List to postpone those revaluations until 2011. Since the Town is scheduled for a revaluation that includes inspections of all of the buildings for the 2010 Grand List, there is an option to put it off for a year if the Board of Selectmen wished to delay. J. Philip stated he is not in favor of putting off scheduled revaluations and was very much opposed to the bill; he then talked about the various pros and cons that he felt the Board needed to consider. The first was the benefit of putting off the cost for a year but noted since there will most likely be many more towns due in 2011 than 2010 he thought the town would get a better price on a 2010 revaluation; many towns required to implement 2010 Grand List have already selected vendors. Another possible benefit on putting off the revaluation is that he would have better market data to conduct a revaluation for the 2011 Grand List than the 2010 Grant List. He did note he felt that if the town defers, and other towns do also, the 2011 revaluation will not happen because there are not enough revaluation companies. A provision of the Bill offers an option that will allow towns to do a regional valuation and he would not recommend being the first one to do so.

After much discussion around types of property that would make an impact on the Grand List; sales history, housing market, employment situations, foreclosures, credit market, and taxes it was decided that a Request for Proposal (RFP) would be issued by the Town on August 1<sup>st</sup> for 2010 revaluation, if the Board of Selectmen chose to defer the revaluation they then would bring to Special Town Meeting, if the Board of Selectmen decide to go forward with the revaluation they could award and sign a contract in October and be out in the field by November 2009.

**Permission for First Selectman to sign renewal agreement with Tyler Technologies for UNIVERS and Landisc Software Support for the term July 1, 2009 through June 30, 2010**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO GRANT PERMISSION TO THE FIRST SELECTMAN TO SIGN RENEWAL AGREEMENT WITH TYLER TECHNOLOGIES FOR UNIVERS AND LANDISC SOFTWARE SUPPORT FOR THE TERM JULY 1, 2009 THROUGH JUNE 30, 2010. ALL AYE

**Permission for First Selectman to sign agreement with Tyler Technologies for 3 year ASP Renewal and Purchase Order Module, Consulting & Training beginning July 1, 2009 through June 30, 2012**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO GRANT PERMISSION TO THE FIRST SELECTMAN TO SIGN AGREEMENT WITH TYLER TECHNOLOGIES FOR A THREE YEAR ASP RENEWAL BEGINNING JULY 1, 2009 THROUGH JUNE 30, 2012 AND PURCHASE OF PURCHASE ORDER MODULE, CONSULTING & TRAINING. ALL AYE

**Permission for the First Selectman to sign agreement between The Metropolitan District (MDC) and the Town of Durham**

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO THE FIRST SELECTMAN TO SIGN AGREEMENT BETWEEN THE METROPOLITAN DISTRICT (MDC) AND THE TOWN OF DURHAM. ALL AYE

**Bid award for Ambulance Facility Study to Quisenberry Arcari Architects LLC**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO AWARD BID FOR AMBULANCE FACILITY STUDY TO QUISENBERRY ARCARI ARCHITECTS LLC. ALL AYE

**Approval of annual tax abatement for Trinity Corporation per STM dated 3/1/93; Ordinance Providing for Abatement of Real Property Taxes on Certain Housing for Low or Moderate Income Persons or Families**

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPROVE ANNUAL TAX ABATEMENT TO TRINITY CORPORATION PER SPECIAL TOWN MEETING 3/1/93. ALL AYE

## **Fiscal Analysis April 2009**

As of April 30, 2009, the budget stands as follows:

	Original Appropriation	Additional Appropriations	Carryovers from 07-08	Revised Budget	Actual	Balance
Expenditures	25,714,652	365,295	402,793	26,482,740	23,081,486	3,401,254
Revenues	25,714,652	0	0	25,714,652	23,045,693	2,668,959

### Revenue

The Town Clerk's Office brought in their highest revenue amount since August 2008. Their collections are still well below the budgeted amount, as they have only brought in 62% of their projected revenue although we are 83% through the year. Conveyance tax should exceed the budgeted amount, since we had assumed the rate would sunset this year when we budgeted for that revenue. The amount received from this tax is much lower than other years, however, regardless of the budget figure.

Interest income continues to our major revenue loss this year. At only 11% collected, we will be short in that line item more than \$80,000.

Although housing starts are minimal, permits in the building department have been steady, and they will come very close to meeting their budgeted revenue figure.

Tax collections are slowing down as we are in the last quarter of the fiscal year. We are currently over 98% collected in our budgeted personal property and real estate taxes. Motor vehicle collections have already reached the budgeted figure. 2% uncollected tax revenue, however, equates to over \$373,000 - a figure that is consistent with other years. The difference this year is that other revenue lines are unable to make up for this difference. Interest on late tax payments continues to increase, helping cover this year's deficit. The approval of a tax fixing that recently was processed through the tax system has lowered the amount of collectable taxes. This too does not help our collection rate.

### Expenditures

Total expenditures as of the end of April are at 87%. Departments have continued to comply with their budget deficit plans, but other expenditures have offset those savings. For example, the fire department and ambulance corps both had significant unanticipated vehicle repairs.

### 2009-2010 Budget

In April, the Board of Finance took to town meeting a net budget for the year of 2009-2010 that was virtually the same as the current year. Although our projected revenue for next year is over \$200,000 less than the current year, a significant number of departmental budgets were submitted at a level less than the current level of funding. Once the State finally passes their budget for the coming year, we will be able to determine if our funding levels for next year will hold up.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO ACCEPT FISCAL ANALYSIS OF APRIL 2009 AS PRESENTED BY FINANCE OFFICER. ALL AYE

### Set date and approve Call to Special Town Meeting

#### CALL TO A SPECIAL TOWN MEETING TOWN OF DURHAM

A SPECIAL TOWN MEETING of the Electors and Citizens qualified to vote at Town Meetings of the Town of Durham will be held in the 3<sup>rd</sup> Floor Meeting Room, Town Hall, on Monday, June 22, 2009 at 8:00 p.m. for the following purpose:

1. To transfer an amount not to exceed \$19,400 from Reserve Fund #9640 Library Oil Tank to 6700-497 Library CIP as recommended by the Board of Finance at their meeting May 19, 2009

2. To approve Agriculture Commission Ordinance

Laura L. Francis  
First Selectman

John T. Szewczyk  
Selectman

James W. McLaughlin  
Selectman

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO SET DATE OF JUNE 22, 2009 AND APPROVE CALL TO SPECIAL TOWN MEETING. ALL AYE

**Service Requests**  
**Ridge Road South**

- Service request #27010; request for Dead End road sign.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE THE PLACEMENT OF DEAD END SIGN ON RIDGE ROAD SOUTH. ALL AYE

**Higganum Road**

- Service request #27004; request for widening of s-turn by farm or placement of mirrors or slowing down traffic.

A prior request was already reviewed with the recommendation and approval of the placement of chevrons around the corner. Will notify resident of prior approval.

**Main Street & Maiden Lane**

- Service request #27018; request for light at intersection of Main Street and Maiden Lane.

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO REQUEST STATE TRAFFIC COMMISSION TO STUDY INTERSECTION. ALL AYE

**Approval of Board of Selectmen meeting minutes May 18, 2009 and May 28, 2009**

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE MAY 18, 2009 BOARD OF SELECTMEN MEETING MINUTES. ALL AYE

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE MAY 18, 2009 PUBLIC HEARING MINUTES. ALL AYE

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE MAY 28, 2009 MEETING MINUTES. ALL AYE

**Old/New business**

L. Francis discussed the following old business.

1. The ambulance building working group met with Architect Tom Arcari on Thursday June 4th; there have been two site visits and they hope to have the study finished by the end of June.
2. A special meeting of the Board of Selectmen and Board of Finance was held on May 28<sup>th</sup> to review the public works study report. The First Selectmen will be meeting at a later date with the department to discuss what elements will be implemented right away.
3. DMIAAB will no longer be keeping any money on the grounds and have looked into contracting with ADT for security.
4. The Town is free to utilize the distribution from the CRRA lawsuit. The distribution was being held aside because there was a possibility of an appeal.

L. Francis discussed the following new business.

1. May 2009 status report from the Resident State Trooper included the following:
  - a. Motor vehicle enforcement was conducted on Haddam Quarter Road, Pent Road, Parmelee Hill Road, Howd Road, Maple Avenue, and Routes 68, 77, 79 and 17.
  - b. 117 Motor vehicle infractions; 54 of these infractions were for seatbelt violations, Click it or Ticket Campaign.
  - c. 26 Motor vehicle warnings
  - d. 4 on sight DWI
  - e. 7 Motor vehicle accidents all without injuries
  - f. 8 criminal arrests
  - g. 14 criminal investigations; in early May, Troop Topulos and Trooper DiGioia developed leads that resulted in 6 residential burglaries being solved, 1 in Middlefield, 3 in Durham, and 2 in Guilford.
2. L. Francis thanked the Selectmen for attending X-Block at the high school last week.
3. L. Francis and Casey Cordes from the Conservation Commission met with Melynda Naples to review her lease on the town owned barn and worked out a lease payment plan to catch up on arrears. L. Francis noted that M. Naples wanted to work out an in-kind expense against the lease payment and it was suggested that she spell this out in the next lease agreement with a maintenance schedule.
4. The Town owns a 5 acre parcel on Tuttle Road next to Brewster School which is deed restricted to only be used for educational purposes. The School board asked if the Town would be willing to sell the parcel to the district. A meeting was held and preliminary drawings were presented for (2) Jr. soccer fields and a parking lot. L. Francis noted the Town was not in a position to pursue at this time.
5. L. Francis met with Trooper DiGioia and Karen Andrukiewicz who will be starting work on July 1<sup>st</sup>, five hours per week, as administrative assistant.
6. The Clean Energy Task Force has received a \$4,000 grant award towards promoting clean energy in Durham. The task force is currently putting a project together.
7. L. Francis will be attending several stimulus funding technical assistance meetings this week.
8. L. Francis met with the Department of Transportation and was told that the Town was only eligible for \$127,000 in stimulus dollars for road preservation.
9. L. Francis read a memo from Bill Milardo, Sanitarian, offering a salary give back for fy10-11. The Board of Selectmen accepted his offer with gratitude.

**Selectmen's comments**

NONE

**Public comments**

Francis Willett brought the Selectmen up to date on the Emergency Power Modification bid for Cuginchaug High School; two bidders will produce RFP's. He is also trying to coincide with the Red Cross to get CRHS certified.

F. Willett stated he would be receiving a \$7,200 EMPG Grant this Friday; he will be using this money to purchase 2 portable cases of emergency lights and road columns for the Fire Police and has already purchased a laptop that is being reimbursed in this check.

F. Willett stated he would like to settle the balance due to Everbridge for the Community Notification System before June 30<sup>th</sup>.

F. Willett noted that the Rabies Clinic held last weekend was very successful saying it was a collaborative effort with the veterinarian and the Durham Animal Response Team.

**Adjourn**

MOTION BY JAMES MCLAUGHLIN SECONDED BY LAURA FRANCIS TO ADJOURN MEETING AT 9:20 P.M. ALL AYE

Respectfully submitted:  
Beth Moncata