

*Board of Selectmen's Meeting Minutes*  
*7:00 p.m., Monday, March 23, 2009*  
*3<sup>rd</sup> Floor Meeting Room, Town Hall*

Meeting Minutes-Revised

Call to order and roll call

Laura Francis called the meeting to order at 7:00 p.m. and led with the pledge of allegiance. John Szewczyk and James McLaughlin present.

Approval of the agenda

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPROVE AGENDA AS PRESENTED. ALL AYE

Public comments

Donia Viola spoke about the prior Board of Selectmen assigning a liaison from their board to attend the Board of Education budget meetings and asked for the current board to appoint a liaison for the betterment of the community. L. Francis noted that she is in constant communication with the Board of Education. J. Szewczyk stated he would try to attend the Board of Education budget meetings.

Ethics Commission resignation

It was noted that the vacancy needs to be filled with an unaffiliated party per the Ethics Ordinance's section B1 and B4. L. Francis suggested announcing the vacancy in the Town Times.

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ACCEPT THE RESIGNATION OF SUE BEHLING AS ALTERNATE WITH GRATITUDE. ALL AYE

Board of Assessment Appeals resignation

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO ACCEPT THE RESIGNATION OF DAWN ADAMS WITH GRATITUDE. ALL AYE

Zoning Board of Appeals resignation

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO ACCEPT THE RESIGNATION OF AMY GREENBACKER-MARWICA WITH GRATITUDE. ALL AYE

Request for permission by Applied Behavioral Rehabilitation Institute for use of Foot Hill Road for 1<sup>st</sup> Annual HBA of New Haven County Motorcycle Run on May 31, 2009

L. Francis noted the request was reviewed and approved by RST Peter DiGioia.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO APPLIED BEHAVIORAL REHABILITATION INSTITUTE FOR THE USE OF FOOT HILLS ROAD FOR MOTORCYCLE RUN ON MAY 31, 2009. ALL AYE

Chief Michael L. Green Award

The Middlesex Chamber of Commerce is requesting nominations for their annual Chief Michael L. Green Award. An essential criterion for consideration is their service to the community beyond one's duty. L. Francis asked the Board to let her know if they have anyone in mind they would like to nominate. Deadline is April 17<sup>th</sup>.

Permission for the First Selectman to enter into a year agreement with CCM for procuring electricity

L. Francis explained that the towns current provider of electricity, Constellation NewEnergy, would be expiring 12/2009. She stated that Maryjane Malavasi and Beth Moncata have

reviewed programs offered by CCM (Connecticut Conference of Municipalities) and CRCOG (Capital Region Council of Governments) and talked about the differences in the two programs. It was decided that CCM better fits the towns current needs and in order to participate in the RFP process for pricing and contract term lengths she needed to enter into an agreement with CCM for a one year period effective the date the contract is signed. L. Francis commended B. Moncata and M. Malavasi for their work on this effort.

MOTION BY JAMES MCLAUGHLIN SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO THE FIRST SELECTMAN TO ENTER INTO A ONE YEAR AGREEMENT WITH CCM FOR THE PURPOSE OF PROCURING ELECTRICITY THROUGH THEIR PROGRAM. ALL AYE

#### Tax refunds

MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO ACCEPT FIVE (5) TAX REFUNDS IN THE AMOUNT OF \$262.86. ALL AYE

#### Crossing Guard update

J. Szewczyk updated the Board on the following for the traffic controller position:

- One hour training course of one-on-one with an officer at POST will be provided. It was noted that a request needs to be made to William Schultz at POST. L. Francis stated her department would take care of making the request.
- Scott Wright will train this position in the use of radio communications.
- Jim Jurczyk at the State Traffic Commission stated the town needs to request permission to stop traffic on a state road; form CGS 14-309. L. Francis stated she would take care of submitting the form.
- Kurt Bober will provide this position with a safety book and order any necessary safety equipment that is required. The Public Safety Committee has stated they will fund this expense from their budget.
- A formal job description will be completed when all of the above is done.

#### Fiscal analysis

L. Francis updated the Selectmen that M. Malavasi will submit the next fiscal analysis at the first meeting in April instead of today so that she can provide the third quarter in detail.

#### Consolidation of Town of Durham Retirement Funds with Merrill Lynch

L. Francis stated that Bank of America merged with Merrill Lynch and the Towns retirement plan is split between both companies; the majority of funds being invested at Merrill Lynch. By consolidating the investment management with Merrill Lynch the Town will have a more efficient investment program and significant fee discount for the consolidation of investments. Estimated savings for the Town and Regional School District 13 would be about \$6,000 in the first year.

LAURA FRANCIS MOVED THAT THE DEFINED BENEFIT INVESTMENT ACCOUNTS WITH BANK OF AMERICA BE TRANSFERRED TO MERRILL LYNCH. SECONDED BY JAMES MCLAUGHLIN. ALL AYE

#### Local Traffic Authority requests

- Update - Service Request #24887 Dead Hill & Pisgah Road Stop Sign; this was referred to Town Engineer, Brian Curtis and he does not recommend putting a stop sign there. He did state there was a sight line issue and recommended the brush be cut down. L. Francis stated she would talk to the Public Works Department about getting this work done.
- Royal Oak entrance - Service Request #25418 and #24781 request for reflectors or streetlight; J. McLaughlin suggested forwarding this to the State Traffic Commission for consideration and suggested the reflectors are there for another reason. L. Francis stated she would contact the STC for a low impact suggestion to this request.

- Intersection of Skeet Club to Powder Hill - Service Request #24896 request for fisheye mirror; L. Francis stated the State will not approve the use of a fisheye mirror and considers them distracting to drivers. She will advise the requestor.
- Intersection of Route 68 onto 157 - Service Request #25360 request for streetlight; J. McLaughlin stated that during his administration he asked the State Traffic Commission to study the need for a traffic control light at this intersection. The commission concluded that conditions did not warrant a light. L. Francis stated she placed a call to the STC and also asked the Public Works Department to manage the brush in this area very well.

### **Approval of Board of Selectmen meeting minutes March 9, 2009**

**MOTION BY LAURA FRANCIS SECONDED BY JAMES MCLAUGHLIN TO APPROVE BOARD OF SELECTMEN'S MEETING MINUTES OF MARCH 9, 2009 WITH CORRECTIONS. ALL AYE**

### **Old/New business**

L. Francis discussed the following old business:

1. L. Francis stated that an Agricultural Planning Meeting was held on March 11<sup>th</sup> and the member's involvement is very impressive. The focus of the next meeting will be on (2) areas; looking at models for an Agriculture Commission and working on maps and inventory.
2. On March 12<sup>th</sup> there was a DMIAAB concert order planning meeting. Jon Brayshaw, Geoff Colegrove, Bill Milardo, Seth Lerman, and Representatives from Middletown were in attendance to discuss the Coginchaug River Watershed. An application in is for Clean Water Act Section 319 Funds which is pending. If the award is made the Town may get technical assistance.
3. L. Francis attended a meeting on March 13<sup>th</sup> with Scott Wright, Nate Ravid, Bill Milardo, and Dick McManus to discuss the Ambulance building. They are still working on assessment; currently have scope of services but are reluctant to go out to bid because of the range of estimates that may be received. Fran Korn urged them to do something less than what the scope of service states or to change bid language to reflect an amount no less than.
4. Blue Trail Range update - L. Francis has not heard back from the owners of the Blue Trail Range to date and noted she has scheduled a conference call with attorneys this week to arrange an agreement to access the property.
5. Public Works Study update - data collection almost complete.
6. L. Francis stated the current year deficit to date is approximately \$77,000.
7. The SMART Machine (tracks speed and notifies driver) has been placed on Tri Mountain and Howd, Pent Road, Haddam Quarter Road, and Main Street. L. Francis stated she is getting very good feedback from residents and thanked the Public Works department for placement of the machine.
8. L. Francis was very happy to inform the Board that John & Ellen Donovan were selected for the Durham/Middlefield Exchange Club Golden Book of Deeds award. They will be presented with the award on Thursday, March 26<sup>th</sup>.
9. Contractor JJ Brennan will be resuming Durham Water hookup work on Main Street, weather permitting, in the next couple of weeks.
10. L. Francis commented she is still working on ways to become eligible for stimulus money. She looked into COPS Monies and was told the hiring of an additional State Trooper was not eligible; these monies can only be used for constables.
11. The Yvon Beaudoin suit has been settled for \$15,000.
12. L. Francis will be meeting for a status update with the Representatives from the DEP, EPA, Fuss & O'Neil, Town Planner and Town Sanitarian on the feasibility study tomorrow at the Department of Environmental Protection. J. McLaughlin suggested inviting State Representative Matt Lesser and Senator Ed Meyer to the meeting. L. Francis stated she would get a definite answer regarding Miller's Pond.

L. Francis discussed the following new business:

1. L. Francis attended Rosa DeLauro's 3<sup>rd</sup> Congressional District Mayor Meeting on March 16<sup>th</sup>. R. DeLauro explained what is going on in Washington and stated towns will have to work very hard to get these stimulus monies.
2. L. Francis attended an Agricultural Rally at the State Capital on March 18<sup>th</sup>. Booths were setup with several Durham residents. They visited the legislature to talk about issues they are facing. J. McLaughlin stated he was also at the Capital on March 18<sup>th</sup> at a press conference for the Community Investment Act and commented there was a very good turnout.
3. CCM held a Sexual Harassment Training at Town Hall on March 19<sup>th</sup> which was very successful.
4. Brush pickup is scheduled to start on April 13<sup>th</sup>; road details will be published on the town's website. L. Francis noted that Public Works will be very diligent on keeping to the rules this year.
5. L. Francis asked the Selectmen if they thought the Annual Budget Meeting would be the right place to award municipal service awards. If was decided that they should be awarded at the Annual Town Meeting.
6. L. Francis noted she would like to invite Victor Wu the recipient of the essay contest "What it Means to be an American" to the Annual Budget Meeting. All agreed.

#### Selectmen's comments

None

#### Public comments

Donia Viola spoke about the impending meeting L. Francis would be attending in regards to the feasibility study and asked the Board to delegate a person in regards to her prior query. She also talked about the cost estimate, the affected area impact and her feeling that Middletown will not act favorably on this project. She talked about a prior study and the dilemma that is taking a long time to remedy and noted that all taxpayers will be paying. She also asked the Board to reconsider the use of Millers Pond and the wells at the Durham Fair as possible water sources.

J. Szewczyk commented that Miller's Pond was a State park and questioned if the Town would have any local control. He feels the cost of bringing water from Miller's Pond onto Main Street would be very costly. He commented that if the wells right now that are being tested could sustain would be the best bet; it was noted the wells are being tested by a private entity and no offer has been made to the Town.

#### Adjourn

Meeting adjourned at 8:08 p.m.

Respectfully submitted,

Beth Moncata