

Board of Selectmen
REGULAR MEETING
Town Hall
January 6, 2009 – 6:00 P.M.
MINUTES

1.0 First Selectman Joyce Okonuk called the Regular Meeting to order at 6:00 PM. Selectmen John Bendoraitis and Russ Blakeslee were present. Also in attendance: Town Planner Phil Chester, Kara Fishman, member of the Energy Task Force Committee, Administrative Assistant Patti Handy and audience of 3.

2.0 There were no items for Public Forum.

3.0 Minutes

3.1 The selectmen requested the following corrections to the minutes of the December 2, 2008 Regular Meeting:

- Okonuk: item 6.2 should be to appoint Chris Warner to the *Economic Development Commission* with a term to expire on 02/01/2012, not to the *Solid Waste Commission*.
- Bendoraitis requested that the last line in item 5.3 should be stricken from the record and instead read: "Selectmen need to determine balances in the TIP Fund before further action is taken."
- Blakeslee also requested a change in item 5.3, where it is stated that: "Blakeslee asked if hiring a service once or twice yearly would be more cost effective" it should read "Blakeslee asked *whether* hiring a service once or twice yearly would be more cost effective."

Motion by Bendoraitis, seconded by Blakeslee to approve the minutes of the December 2, 2008 Regular Meeting as amended:
Vote: Yes, unanimous.

Motion by Bendoraitis, seconded by Blakeslee to approve the minutes of the December 9, 2008 Special Meeting
Vote: Yes, unanimous

Motion by Okonuk, seconded by Blakeslee to approve the minutes of the December 15, 2008 Special Meeting
Vote: Yes, unanimous

Motion by Bendoraitis, seconded by Blakeslee to approve the minutes of the December 19, 2008 7:30 am Special Meeting
Vote: 2 Yes, 1 Abstain
Motion Carries

Motion by Bendoraitis, seconded by Okonuk to approve the minutes of the December 19, 2008 9:30 am Special Meeting
Vote: 2 Yes, 1 Abstain
Motion Carries

Motion by Bendoraitis, seconded by Blakeslee to approve the minutes of the December 23, 2008 Special Meeting
Vote: Yes, unanimous

4.0 There was no new correspondence.

Motion made by Okonuk, seconded by Blakeslee to take up item 6.5 on the agenda under New Business
Vote: Yes, unanimous

6.5 Request from Kylee Altavter of the ARC New London County Day Program to use the Community Center on a weekly basis. Altavter, a Lebanon resident, works for a non-profit organization that helps physically and mentally handicapped adults lead richer lives by integrating them into local communities. The ratio of staff to clients is 1:3, and she and a co-worker are responsible for six clients. She requests to use the Community Center on a weekly basis for a "lunch out" activity for her clients. They would like to use the dining room and will bring their own lunches and be responsible for clean-up afterwards. The time they are requesting is on Thursdays from 10:30 am until 12:00 pm. Okonuk said that the Town will waive the fee for

usage of the building, and suggested that the Board approve the request on a three-month trial-basis, to be reviewed at the April 7, 2009 Regular Selectman's meeting.

Motion by Okonuk, seconded by Blakeslee to approve the request from Kylee Altvater of ARC New London on a three-month trial-basis, to be reviewed at the April 7, 2009 Regular Selectman's meeting.

Vote: Yes, unanimous

Motion by Okonuk, seconded by Bendoraitis to add a new item 6.11: Discuss and act upon Open Space Appraisal Funding for Cyr property

Vote: Yes, unanimous

- 6.11 Town Planner Phil Chester explained that the Cyr family has approached the town wishing to sell their development rights to protect their 46 acre farm on Trumbull Highway. The Conservation Commission voted to request the Selectmen to authorize the use of earmarked funds in the C/NR Account entitled Open Space to provide up to \$4,500 for an appraisal of this property. Chester explained that if purchased, the Town would control approximately 75% of the development rights to the property. The funds to purchase the property would come from the following sources: Federal Government: 50%, Farm Land Trust 25% and the property owner(s) would donate the remaining 25%. Okonuk asked if the property owner(s) would be willing to accept this package. Chester said that he felt confident that they would.

Moved by Bendoraitis, seconded by Blakeslee to waive the bidding requirements and allow the Planner to select the qualified appraiser for this project inasmuch as all qualified appraisers will charge the same amount for a Yellow Book appraisal.

Vote: Yes, unanimous.

Motion by Bendoraitis, seconded by Okonuk to approve the \$4,500 expenditure for an appraisal and other associated legal expenses related to the appraisal of the Cyr property on Trumbull Highway

Vote: Yes, unanimous

Motion by Okonuk, seconded by Bendoraitis to add a new item 6.12: Discuss and act upon proposal for Commons Hill Walking Trail

Vote: Yes, unanimous

- 6.12 The Town Planner presented a request from the Conservation Commission to enter into a "temporary license agreement" with CL&P. The purpose of the agreement is to gain access to land between Schalk Road and town-owned property on "Common Hill" for use as a trail to be managed by the Conservation Commission. The license agreement has been reviewed by Town council and deemed satisfactory, and needs Board of Selectmen approval. If approved by the Selectmen, the Conservation Commission will return with a plan for approval that will include blazing a trail across the CL&P and Town property, conducting a tree harvest on the Town property in order to gain important views, and the construction of a gate and sign at the entrance to Schalk Road at Route 87 (Trumbull Highway).

Discussion followed as to the available parking, the length of the trail and specific location of the trail.

Motion by Okonuk, seconded by Blakeslee to authorize Mark Lang, Chairman of the Conservation Commission, to pursue the temporary license agreement with CL&P

Vote: Yes, unanimous

Motion by Okonuk, seconded by Bendoraitis to return to agenda item 6.3: Releasing the Capital Non-recurring funds for Amston Lake Study.

Vote: Yes, unanimous

- 6.3 The Selectmen are working to make appointments to a newly created Water Pollution Control Authority (WPCA) to address the water quality concerns on Amston Lake. It is anticipated that sewers will be considered as part of the water quality protection. Planning & Zoning intends to obtain legal and other professional services to address several concerns with regard to existing and future land development at Amston Lake. The Town Planner, on behalf of PZC, is requesting the Selectmen release the \$20,000 in the Capital Non-recurring Account that has been earmarked for the Amston Lake Study. Okonuk stated that there will be a significant zoning impact should sewers be installed and she supports the use of these funds for the PZC to look at all zoning issues created by the installation of sewers. Blakeslee questioned what the concerns were involving the study. Chester stated that many year-round residents who are grandfathered under old zoning laws do not want year-round zoning at the lake. Blakeslee questioned as to whether residents would be "forced" into accepting a sewer system, and Chester said that there would be cost incentives to being put on the sewer system initially, as it would cost much more later on. Blakeslee questioned whether spending the \$20,000 would be worth it if the Town would still be likely to encounter problems. Chester and Bendoraitis both agreed that if the study could avoid a potential law suit in the future, it would be well worth the cost.

Motion by Okonuk, seconded by Bendoraitis to enter into contracts to conduct the study, as presented, funds to come from C/N/R Funds, budget line item Amston Lake Study, cost not to exceed \$20,000.

Vote: Yes, unanimous

Motion by Okonuk, seconded by Bendoraitis to add a new item 6.13: Discuss and act upon re-writing the job description for Land Use Secretary

Vote: Yes, unanimous

- 6.13 Okonuk and Chester presented a draft for a new job description for the Land Use Secretary. Currently there are three departments that share one Secretary: Building, Health and Planning and Zoning. Because the wage of the Secretary is now split into three separate accounts, and because the three departments are quite overlapping in the day-to-day work activity, Okonuk proposed restructuring the job description to identify all tasks presently done and those needing to be done. The present Secretary clerks for the PZC. The revision would require the Land Use Secretary to clerk for the Inland Wetlands Commission as well which would eliminate the need for a IWC clerk. Consequently, minutes of the IWC and PZC may be prepared during the day while the Secretary is already on the clock. To provide proper follow-up on permits for all departments, multi-departmental coordination is need with a new follow-up system put into place for accurate monitoring and tracking of all permits issued. This is not in place at present and has resulted in several problems. Chester reported that it has come to his attention that not all Building Permits have been tracked, and there have been instances involving expiration of permits and problems with certificates of occupancy. At this time, with activity in the department at an all-time low, it is the right time to make the necessary changes in the job functions and follow-up. Okonuk added that the current job description is very out-dated and needs to be re-written to include computer competency as well as detailed job responsibilities. Okonuk has discussed the changes with the Chairmen of the Land Use Boards and the department heads and they concur the change is appropriate. The pay and hours would remain the same. Okonuk will discuss the changes with the Land Use Secretary and with the Union and will eventually bring the job description back to the Selectmen for their approval.

Motion by Okonuk, seconded by Bendoraitis to move to item 6.8 on the agenda, Energy Issues

Vote: Yes, unanimous

- 6.8 Kara Fishman, Member of the Conservation Commission, has reviewed documentation pertaining to the Town's ConServ Energy Audits, energy usage bills, past building improvements and existing energy conservation documents. She is proposing that the Town participate in the EPA Community Energy Challenge, a pledge that would be another step in the Town's Energy Sustainability Plan. She presented a copy of the challenge, which needs to be submitted to the EPA. Fishman also presented a document that placed the Town's energy usage into the EPA Portfolio Manager Computer program, which will enable the Town to track energy consumption. Fishman outlined the process required for the Town to be eligible for a \$4,000 micro-grant that would be applied to the cost of a total energy audit of the Town buildings, not including the schools. Fishman also stated that future publicly-funded renovations or construction will most likely be required to be LEED (Leadership in Energy and Environmental Design) compliant. The Board is in agreement that energy conservation is becoming a priority and efforts to save energy need to be tracked. Okonuk asked Fishman if the Conservation Commission would be willing to undertake the task of tracking the energy usage, as well as obtaining grants and future audits. Fishman felt that they would, and that the Commission is currently seeking an intern who could facilitate the process. The Board agreed that the Town could commit to a goal of a 10% reduction in energy usage intensity by 2013. Bendoraitis added that tracking the energy usage would also build credibility with the Board of Finance. Okonuk asked the Board for a commitment to participate in the EPA Challenge; Fishman added that the commitment should also include the intention to use the \$4,000 grant, if obtained, to conduct an energy audit of Town Buildings. *Motion by Bendoraitis, seconded by Blakeslee, to join the EPA Challenge, and commit to a goal of 10% reductions in energy use intensity by 2013, and to use the grant money to conduct an audit of the Town's Buildings*

Vote: Yes, unanimous

Motion by Okonuk, seconded by Bendoraitis to return to item 5.0 on the agenda, and continue with the remaining items in their original order

Vote: Yes, unanimous

5.0

Old Business

Bendoraitis requested that the Board look at the items that remained open from the minutes of the last Regular Selectmen's meeting:

- Item 5.3: Purchase of leaf vacuum for the Public Works; cost estimate not yet in.
- Item 6.9: Chairman T. Alan Palmer, on behalf of the Board of Assessment Appeals, has requested a one-month extension to conduct the appeals hearings and complete their paperwork. The new deadline would be May 30, 2009. This extension is necessitated by the current re-valuation that will increase the number of hearings beyond that of a normal year. The Selectmen questioned the lateness of the new deadline given the fact that the town budget goes to Town Meeting the first Monday in May; Okonuk reported that the Board of Finance is aware of this request and understands the need for it. There is no problem with Finance in granting an extension.

6.0

New Business

Resignations from Committees/Commissions

Motion by Bendoraitis seconded by Blakeslee to accept, with regret, the resignation of Anne Dawson from the Rails to Trails Committee

Vote: Yes, unanimous

Motion by Blakeslee seconded by Bendoraitis to accept, with regret, the resignation of Phil McClellan from the Code of Ethics Drafting Committee, the Town Center Parking Lot Committee and the Tyler Field Building Committee

Vote: Yes, unanimous

Motion by Okonuk seconded by Blakeslee to accept, with regret, the resignation of Tim Thompson from the Ethics Code Drafting Committee

Vote: Yes, unanimous

Motion by Blakeslee seconded by Bendoraitis to accept, with regret, the resignation of Svea Meyer from the Board of Finance

Vote: Yes, unanimous

Motion by Blakeslee seconded by Okonuk to add another resignation to the agenda

Vote: Yes, unanimous

Motion by Blakeslee seconded by Okonuk to accept, with regret, the resignation of Sylvia Ryan from the Commission on Aging, effective January 31, 2009

Vote: Yes, unanimous

6.2

Appointments/re-appointments to Committees/Commissions

Motion by Okonuk seconded by Bendoraitis to re-appoint Enes Martineau, David Reid and Andy Luft to the Recreation Commission with terms to expire on 02/01/2012

Vote: Yes, unanimous

Motion by Bendoraitis seconded by Blakeslee to re-appoint Leo Bibeau to the Solid Waste Commission with terms to expire on 02/01/2012

Vote: Yes, unanimous

Motion by Bendoraitis seconded by Blakeslee to re-appoint Ellen Macauley to the Economic Development Commission with a term to expire on 02/01/2014

Vote: Yes, unanimous

Motion by Okonuk seconded by Bendoraitis to add the following additional appointments/ re-appointments to the agenda

Vote: Yes, unanimous

Motion by Okonuk seconded by Blakeslee, to re-appoint Keith LaPorte, Shaun McCarthy, Dorothy Roberts and Keith Wentworth to the Cemetery Commission with terms to expire on 02/01/2012

Vote: Yes, unanimous

Motion by Blakeslee seconded by Bendoraitis, to re-appoint Joan Nichols as Tree Warden and Howard Wayland as Assistant Tree Warden with terms to expire on 02/01/2010

Vote: Yes, unanimous

Motion by Okonuk seconded by Blakeslee, to re-appoint Jim Donnelly, Marion Russo and Donna Trahan to the Commission on Aging, with terms to expire on 02/01/2012

Vote: Yes, unanimous

Motion by Okonuk seconded by Bendoraitis to appoint Ellen Bauwens to the Commission on aging, filling the vacancy left by Sylvia Ryan, with term to expire on 02/01/2010

Vote: Yes, unanimous

Motion by Blakeslee, seconded by Bendoraitis to re-appoint Barbara Archer, Joyce Hofmann and Robert Leone to the Summer Dance Fest Committee with terms to expire on 01/08/2012

Vote: Yes, unanimous

Motion by Blakeslee seconded by Bendoraitis to appoint Sandy Landon to the 2010 Governor Trumbull Celebration Committee, term to expire at project's completion *Vote: Yes, unanimous*

Motion by Okonuk seconded by Blakeslee to appoint David Geligoff as an Alternate to the Solid Waste Commission, with term to expire 02/01/2012 *Vote: Yes, unanimous*

- 6.4 Okonuk confirmed that the Town has been awarded a \$9,500.00 Agriculture Viability Grant from the Ct. Department of Agriculture. As in past practice, the grant needs to be approved by the Board of Finance and sent to Town Meeting for acceptance.
Motion by Bendoraitis, seconded by Okonuk to request the Board of Finance take to Town Meeting the acceptance of a \$9,500.00 Agriculture Viability Grant from the Ct. Dept. of Ag. *Vote: Yes, unanimous*
- 6.6 Okonuk reported that the Town needs to hire a pool company to install a new safety valve shut off for the main drain in the pool as required by new State regulations. Sandy Tremblay, Rec Coordinator states that the cost would be approximately \$3,500.00 for the valve, \$200.00 for the diver to install it and \$25.00 for the cover of the main drain. The pool will need an outdoor shower for patrons to use before entering the pool as required by the State Department of Health. It was decided that Okonuk would ask Tremblay to solicit actual quotes for the drain improvements before any further action is taken.
- 6.7 Town Meeting minute research has shown that the Cemetery Commission had been appointed in March, 1969 by motion versus an ordinance. Bendoraitis asked if a motion vote was adequate or was the Ordinance required. Okonuk stated that the town's past practice has been to create an ordinance to establish new boards/commissions. There was concern expressed, however, about the cost of creating and publishing an ordinance giving the legal cost of that process. The selectmen agreed that the prior action of the Town Meeting would be sufficient at this time.
- 6.9 Selectmen had received and compared two quotes for replacement of the retaining wall in front of the Town Hall; one from A & R Landscaping for \$4,750.00 and another from Cesana Masonry for \$9,450.00. Funds are presently in the C/N/R budget. At a prior meeting, the Selectmen had asked Okonuk to ask A&R's mason if he felt additional drainage was required (as included in the Cesana bid). The mason indicated that the gravel base they intend to install below the wall would be more than adequate to address any water issues. They also felt the steps were adequate and did not need replacement at this time.
Motion by Bendoraitis, seconded by Okonuk, to award the bid to A & R Landscaping to/replace the entire collapsing retaining wall in front of Town Hall for the cost of \$4,750.00 *Vote: Yes, unanimous*
- 6.10 Reviewing required repairs to the Jonathan Trumbull Library with possible use of TIP Funds
Okonuk reported that the Capital Needs Assessment Team meeting addressed the needed repairs; delay action until TIP review.
- 7.0 Financial Report Update**
Reports were not available for the Selectmen's review.

8.0 Tax Refunds

Tax Refunds for January 2009

Judith McCabe	39.30
Toyota Motor Credit Corp.	127.43
Frank Scopino	10.50
Frank J. Scopino	4.10
Direct TV Inc.	21.76
Direct TV Inc.	13.80
Direct TV Inc.	319.88
Janelle M. Soleau	74.71
Christopher W. Soleau	
Ingrid & William Treiss	12.95
Volvo Finance NA Inc.	477.04
Ford Motor Credit	123.52
Ford Motor Credit	66.19
Thomas & Denise Flynn	21.86
Francine Mikulski	240.45

Motion by Bendoraitis seconded by Blakeslee to approve the Tax Refunds as presented

Vote: Yes, unanimous

9.0 Executive Session

Okonuk reported on the progress on the Public Works Union negotiations. After speaking to Town Attorney Gabe Jiran, Okonuk feels that it is time to move forward and set a date for mediation.

Motion by Bendoraitis seconded by Blakeslee to set up a date for mediation for Union contracts

Vote: Yes, unanimous

10.0 Adjournment

Motion by Okonuk seconded by Bendoraitis to adjourn at 8:12 PM.

Vote: Yes, unanimous

Respectfully Submitted,

Joyce R. Okonuk
First Selectman