

SPECIAL BOARD OF SELECTMEN'S MEETING  
7:00 P.M., MONDAY, MARCH 2, 2015  
3<sup>rd</sup> FLOOR MEETING ROOM, TOWN HALL

Meeting Minutes

1. 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 Steve Levy present.

2. Approval of the agenda

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO APPROVE THE AGENDA AS PRESENTED.  
ALL AYE

3. Public comment

Approximately forty people were in attendance to express their thoughts on agenda item #4 regarding the approval of a Purchase Power Agreement. There were several concerns noted; the cost to the town to enter into the agreement, contingent liability, tax exemptions, the process in regards to the parcel selection for the proposed site and its current zoning classification, how residents were notified of meetings, the impact on the quality of life, property values, and the credibility of the developer. Some questioned why areas surrounding the schools have not been looked into and why this has not gone before the towns land use committees. Others noted that they felt solar panels belong on roofs, were concerned with clear cutting, and the twenty year term of the agreement.

There were others who expressed their approval of the solar project stating; the investment of a solar farm being financially good for the town, the opportunity to reduce costs, that this was clean renewable energy and an opportunity to reduce emissions. They talked about the lack of town owned property that had no deed restrictions that had access to power, a buffer that would surround the site visually and detract road noise, and trust that the Board would look into any contract issues.

Fred Mastele asked if the fire tank at Deerfield Farm would be emptied or removed due to recent contamination. L. Francis responded that the town is considering options and has put counter measures into place until a solution can be reached.

Joe Pasquale made reference to item #14 on the agenda noting his disappointment with J. Szewczyk and his lack of knowledge to the questions asked at the last Planning & Zoning Commission meeting.

Joe Pasquale asked if the Guilford Road property had been accepted by the town and if any restrictions were going to be placed on it. L. Francis noted that the land has been accepted and has historically been used for haying and would like to continue this practice. She noted she would bring this forward for discussion with the Agriculture and Conservation Commissions.

4. Approval for the First Selectman to sign a Purchase Power Agreement with GRE 359 DURHAM HQ LLC - Solar Farm Haddam Quarter Road/Brick Lane

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO GRANT APPROVAL FOR THE FIRST SELECTMAN TO SIGN A PURCHASE POWER AGREEMENT WITH GRE 359 DURHAM HQ LLC FOR A SOLAR FARM ON HADDAM QUARTER ROAD AND BRICK LANE. Discussion. L. Francis noted that the Purchase Power Agreement (PPA) was fully vetted by Attorney Allen Curto of Halloran & Sage and also by CIRMA the towns' insurance carrier. She asked the Selectmen if they had any questions or issues regarding the PPA that they would like addressed. J. Szewczyk stated he felt this was not the correct location, that spot zoning one piece of land in the middle of a neighborhood was not fair to the residents. He also stated he had issues with the financial liability in the agreement and future taxes that the town may need to pay on behalf of the investor. S. Levy asked for additional time to review the agreement and asked if an engineered drawing of the site could be presented. L. Francis responded that the process necessitated the agreement to be signed first before engineering. S. Levy noted merit on both sides of the table stating he believed there was no other viable town site and that no matter where the solar project was proposed no one would be happy. He noted his concern

about tax issues and liabilities stipulated in the contract and asked for clarification before casting his vote. MOTION FAILED.

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO TABLE ITEM #4 TO THE NEXT MEETING. ALL AYE

5. Stephanie Moran DMYFS; Durham Middlefield Local Wellness Coalition update  
Stephanie Moran, Prevention Coordinator was present to inform the Board about DMYFS role in the Local Wellness Coalition. Established in 1996, the mission of the Durham Middlefield Local Wellness Coalition is to reduce the harm of alcohol, tobacco, marijuana and other drugs in our towns through support, community action, education, and collaboration. The coalition is funded through a Drug-Free Communities Grant which is a 5 year grant, \$125,000 per year that ends in September 2017. S. Moran stated they would will be reapplying for the same grant for years 6-10 but noted that there is no guarantee for continuation. She talked about the following programs:
  - Edge: DMLWC provides funding for the program at Coginchaug and Strong and one staff person to co-advise the program at Strong. DMYFS started the club and also provides a staff person to co-advise the program at Coginchaug
  - Go Far: DMLWC provides funding to help with Go Far expenses. This program falls within our mission since it builds internal and external assets among youth (self-esteem, volunteering, caring, responsibility, health & wellness).
  - National Drug Take Back Day: This event is led by the Resident Troopers; however, DMLWC helps promote the program through marketing and providing a staff person to attend on the day, if needed. In April 2014 over 110 pounds of unused or expired prescription drugs were collected in Durham and Middlefield - showing that there is a great need for opportunities for residents to safely dispose of them.
  - Community Round Up: DMLWC provides funding to help with Community Round-Up expenses. We also volunteer the day of. DMYFS also provides materials for the program and collects food items for their Backpack Nutrition Program with the help of EDGE youth.
  - CCM: DMLWC was invited by First Selectman, Laura Francis, to attend the Connecticut Conference of Municipalities Drug Abuse Prevention Working Group. We were able to have a voice around the table to help make the legislative agenda for CCM surrounding our communities and drug and alcohol prevention initiatives.
  - Campaigns: DMLWC developed the "Be the One" Campaign for adults and youth that has been distributed within the schools, and placed throughout the community. We are able to fund 2 billboards a year through our grant which has been focused on Drinking and Driving, Safe Graduation, and Healthy Communities.
  
6. Betsy Dean; DMYFS fy15-16 budget overview  
Betsy Dean, Executive Director of DMYFS stated that DMYFS offers a variety of programs for Durham, Middlefield & Rockfall residents that provide opportunities for youth to explore their imagination and creativity while building leadership skills.
  - Programs include the Youth Job Bank, Parents Educational Workshops, dances for 5<sup>th</sup> and 6<sup>th</sup> graders, first aid/CPR, babysitting classes, and much more.
  - DMYFS sponsors a confidential supplemental nutrition program for RSD13 schools; through food donation and volunteer efforts the program provides backpacks filled with non-perishable food items for eligible school children; average of 15 students participating each week during the school year.
  - Mini-grants for youth are awarded in the amount of \$200 each to three local youth for creative programs sponsored by DMYFS, DMLWC, and the Middlesex United Way.
  - DMYFS offers a program called Juvenile Review Board that provides a diversion from, and meaningful alternative to, the juvenile justice system. This program is a diversionary and preventative program offered to children and families of children who have committed minor delinquent acts or children and youth who are displaying at risk behaviors at home or at school which could result in a referral to juvenile court.
  
7. Proclamation; Girl Scout Week

*PROCLAMATION*  
*Girl Scout Day*

## Celebrating 103 years of Girl Scouting

WHEREAS, March 12, 2015, marks the 103<sup>rd</sup> anniversary of the Girl Scouts of the United States of America, which began in 1912 when Savannah, GA native Juliette Gordon Low gathered 18 girls to provide them the opportunity to develop physically, mentally, and spiritually; and,

WHEREAS, 1912 was also the year in which Girl Scouting started in the state of Connecticut; and,

WHEREAS, for more than 100 years, Girl Scouting has helped build millions of girls and women of courage, confidence, and character who act to make the world a better place; and,

WHEREAS, the Girl Scout Leadership Experience helps girls discover themselves and their values, connect with others, and take action to make the world a better place; and,

WHEREAS, through the dedication, time, and talent of volunteers of different backgrounds, abilities, and areas of expertise, Girl Scouts of Connecticut offers the Girl Scout Leadership Experience to more than 38,000 girls in grades K-12 across the state of Connecticut; and,

WHEREAS, the Girl Scout Gold Award, the highest honor in Girl Scouting, requires girls to make a measurable and sustainable difference in their community, assess a need and design a solution, find the resources and support to make it happen, and complete the project; and,

WHEREAS, core programs around environmental stewardship, anti-bullying techniques, Science, Technology, Engineering and Math (STEM), and healthy living, help girls develop a solid foundation in leadership; and,

WHEREAS, today, more than 59 million American women are Girl Scout alumnae and 2.8 million girls and adult volunteers are active members;

NOW, THEREFORE, WE, the Board of Selectmen, of the Town of Durham, by virtue of the authority vested, do hereby applaud the Girl Scouts of the United States of America for more than 100 years of leadership and expertise as the voice for and of girls, proudly proclaim March 12, 2015, as Girl Scout Day.

Laura L. Francis  
First Selectman

John T. Szewczyk  
Selectman

Steven A. Levy  
Selectman

Dated in Durham, Connecticut, this, 2<sup>nd</sup> day of March 2015

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO PROCLAIM MARCH 12, 2015 AS GIRL SCOUT DAY. ALL AYE

8. Recreation Commission resignation

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO ACCEPT WITH GRATITUDE THE RESIGNATION OF TIMOTHY FRADY FROM THE RECREATION COMMISSION. ALL AYE

9. End of year appointments

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO APPOINT ARNOLD BATTISTA AS AN ALTERNATE MEMBER OF THE INLAND WETLANDS & WATERCOURSES AGENCY TO FILL A DECEMBER 2016 VACANCY. ALL AYE

10. Resolution of Authority Certificate and Trading Authorization; Neuberger/Berman, pension bond manager

L. Francis explained that this resolution was required as part pension conversion.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE RESOLUTION OF AUTHORITY CERTIFICATE AND TRADING AUTHORIZATION FOR NEUBERGER/BERMAN PENSION BOND MANAGER. ALL AYE

11. Resolution of Endorsement and Authorization; Regional Performance Incentive Program  
 L. Francis stated that the Nutmeg Network, statewide high speed internet currently only available to libraries, is now open to municipalities. The towns' current public safety data connection will allow the town to connect to this network. A letter of intent was submitted and the next step is to pass the resolution of endorsement and authorization. L. Francis stated that this would not obligate the town in anyway. Value for joining is the potential to join other towns for shared services such as licensing, VOIP, and GIS.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE RESOLUTION OF ENDORSEMENT AND AUTHORIZATION FOR THE REGIONAL PERFORMANCE INCENTIVE PROGRAM. ALL AYE

12. Request from Durham Republican Town Committee to serve alcohol at event being held on Friday, March 27, 2015 at the Durham Firehouse  
 MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO THE DURHAM REPUBLICAN TOWN COMMITTEE TO SERVE ALCOHOL AT EVENT BEING HELD ON FRIDAY, MARCH 27, 2015 AT THE DURHAM FIREHOUSE. ALL AYE

13. Permission to use Alternative Bidding Option for Custodial Services  
 Permission to use simple negotiations with appropriate legitimate supplies was requested by Beth Moncata for fy15-16 custodial services. She asked to solicit quotes from vendors that bid on custodial services in fy14-15.

MOTION BY LAURA FRANCIS SECONDED JOHN SZEWCZYK TO GRANT PERMISSION TO USE ALTERNATIVE BIDDING OPTION FOR CUSTODIAL SERVICES FOR FY15-16. ALL AYE

14. Discussion of discontinuance of an unimproved section of Blue Hill Road  
 J. Szewczyk stated that a prior request, years ago, for the discontinuance of unimproved section of Blue Hills Road was tabled. He noted that a resident had requested help from him to resolve this matter and after consulting with the towns' planner was asking the Board to recommend that the Planning and Zoning Commission do an 8-24 review.

MOTION BY JOHN SZEWCZYK SECONDED BY LAURA FRANCIS TO REQUEST THAT PLANNING & ZONING DO AN 8-24 REVIEW OF THE UNIMPROVED SECTION OF BLUE HILL ROAD. ALL AYE

15. Tax refunds  
 MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE A TOTAL OF FORTY TWO (42) TAX REFUNDS TOTALING \$30,831.46 AS PRESENTED BY THE TAX COLLECTOR. ALL AYE

16. Fiscal Analysis; November and December 2014  
 As of November 2014, the 2015 budget stands as follows:

	EXPENDITURES	REVENUE
Original Budget	29,785,778	29,785,778
General Appropriations	0	0
Grant Appropriations	0	0
Prior Year Carryovers	237,489	0
Reserve Appropriations	74,516	74,516
Revised Budget	30,097,783	29,860,294
YTD Encumbrances	5,676	0
YTD Expense/Revenue	14,431,782	14,890,830
Balance Unspent or Uncollected	15,660,325	14,969,464
Percent Spent or Collected	48.0%	50.0

Revenues

Tax collection continues to be strong this fiscal year, at 55% collected as of the end of November. All other local revenues are at 39%, putting our total local revenues at 54.4% collected. State revenues are only at 25%, but most of them do not come in until the last quarter of the fiscal year.

Overall, there are no concerns related to the revenue budget at this time.

Expenditures

Overall, expenditures continue to remain on track this year.

In addition to those already reported, there are two departments that are either over budget or in jeopardy of going over. Planning & Zoning Legal is over budget by approximately \$1,200. The civil case against Aberdeen on Stagecoach Road makes up 75% of the expenditures to date. The Planning & Zoning Commission is hoping to come to a resolution on this case soon, which should keep further legal expenses to a minimum. Zoning Board of Appeals will most likely exceed its annual appropriation due to the cost and number of legal ads. This is the second year this line item will go over; therefore the budget will need further review during preparation for next year.

Balance Sheet

The balance sheet as of the end of November indicates that our liquid assets are reducing in direct correlation to our expenses. As tax payments begin to come in during the month of January, our cash flow will balance itself out for the remainder of the fiscal year.

The balance sheet also shows that D.A.R.T. used their donation fund to purchase a trailer for use during emergencies. The balance in this fund is back down to the normal level of activity for that volunteer group.

There is a new line in the balance sheet: Due to Kalinowski Fund. This fund is made up of donations in memory of Ray Kalinowski and will be used for veteran assistance. It will be transferred to its own checking account in order for the fund to be used on an as needed basis.

The Due from Grant Funds line item has increased due to the final construction payment made for the Pickett Lane Culver Project. A request for reimbursement has already been sent to the State. Only retainage and final engineering fees are left to pay on this project.

The Pent Road Project is also in the Due from Grant Funds line item. This project is under final review, but will not be reimbursed by the State until the documentation for the project is completed.

As of December 2014, the 2015 budget stands as follows:

	EXPENDITURES	REVENUE
Original Budget	29,785,778	29,785,778
General Appropriations	0	0
Grant Appropriations	0	0
Prior Year Carryovers	237,489	0
Reserve Appropriations	111,816	74,942
Revised Budget	30,135,083	29,860,720
YTD Encumbrances	3,775	0
YTD Expense/Revenue	16,126,437	16,854,205
Balance Unspent or Uncollected	14,004,871	13,006,515
Percent Spent or Collected	53.5%	56.4%

Revenues

As State revenue start to come in, we are able to analyze our budget vs. actual in this area to see if we are in danger of falling short due to changes in state funding. The table below outlines the grants that have already started coming in, which allows for a better analysis of where they will be at year

end. You can see from the table that the difference between our budget and our projections are small, but we do expect over \$4,000 more than budgeted at this time.

<b>Grant</b>	<b>Budget</b>	<b>Est/Actual</b>	<b>Gain (Loss)</b>
Town Aid Road	223,217	222,769	(448)
State Property	19,779	19,799	20
Elderly/Disabled Tax Relief	850	878	28
Casino Funds	23,778	23,579	(199)
Records Preservation	5,000	5,000	-
Homeowner Tax Relief	41,000	40,872	(128)
Veterans Tax Relief	13,618	18,472	4,854
			<u>4,127</u>

There are more State grants than listed, but those are not due in yet. Therefore, I am not able to project their gain or loss line at this time.

#### Expenditures

Half way through our fiscal year and our budget is just over 53% spent; which is staying in line with revenues at 56% received. This has allowed us to continue to have a positive cash flow.

In December we began to use our snow budget. An average of 22% of each budget line was used; from salt to salaries. At this rate we might expect to manage our expenses within budget, but that could change with just one bad storm.

#### Balance Sheet

There is nothing new on the balance sheet this month. Our liquid assets total over \$3 million dollars which means that we have not had to use our fund balance to cover operating expenses. As January begins, so will our second round of tax revenue that will allow us to meet our obligations for the second half of the year.

The amount due from the grant fund continues to decrease as projects are completed and state reimbursements are received. This also helps our cash flow.

Overall, the Town of Durham continues to maintain a balanced budget through the first half of the fiscal year.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO ACCEPT NOVEMBER AND DECEMBER 2014 FISCAL ANALYSIS AS PRESENTED BY THE FINANCE DIRECTOR. ALL AYE

17. Approval of Board of Selectmen meeting minutes of December 15<sup>th</sup>, December 26<sup>th</sup>, 2014, and budget meeting minutes of January 20<sup>th</sup>, and February 4<sup>th</sup>, 2015

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE DECEMBER 15, 2015 AND DECEMBER 26, 2014 MEETING MINUTES AS PRESENTED. ALL AYE

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO APPROVE JANUARY 20, 2015 MEETING MINUTES AS PRESENTED. ALL AYE

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO APPROVE FEBRUARY 4, 2015 MEETING MINUTES AS PRESENTED. ALL AYE

18. Selectmen's comments

MOTION BY JOHN SZEWCZYK THAT AS OF JANUARY 9, 2013 THE TOWN OF DURHAM IS NOW AN AGGRIEVED PARTY AS IT IS SPLIT INTO TWO DIFFERENT ASSEMBLY DISTRICTS WHICH IS CLEARLY AND EXPRESSLY AGAINST XV OF THE CONNECTICUT CONSTITUTION ADOPTED 11/26/1980) AND THAT THE TOWN OF DURHAM APPEAL THIS DECISION BY USING ANY AND ALL NECESSARY LEGAL MEANS IN ORDER TO BE MADE WHOLE IN ACCORDANCE WITH THE CONNECTICUT STATE CONSTITUTION. NO SECOND. MOTION FAILED.

19. Old/New business

- Municipal Technical Assistance Program update; continuing to participate in weekly calls. RSD13 will also be participating in the program.
- Mass Casualty Drill is scheduled for April 25<sup>th</sup>.
- The Governor's proposed budget will impact the Resident State Trooper, Youth and Family Services, DMIAAB, and Library aid including cuts to CEN (Connecticut Education Network).
- Save the date, April 26<sup>th</sup>. Coginchaug Area Transition is sponsoring a community discussion to be held at the Middlefield Federated Church from 3:00-6:00 p.m. More information to follow.
- Internship opportunity; the UConn Department of Public Policy extended an opportunity to participate in their Internship and Professional Practice program. Durham has submitted an intent to participate form (will be working with the Town of Haddam) for fy 2015-2016 related to Economic Development.
- Town Treasurer, Wendy Manemeit is hosting a meet and share meeting on April 16<sup>th</sup> at 2:00 p.m. here at the Town Hall for all Middlesex County Treasurers.
- 350 Main Street property has been sold. L. Francis will be meeting with the new property owner tomorrow.

20. Public comment

Rick Huntley asked about the status of the contract for My Town Trails. L. Francis responded that it was being reviewed by the towns' insurance carrier.

Carlton Stoup and Chuck Stengel asked if there was any process on the cell service for the north end of town. L. Francis stated that contact has been made with the Fair Association to sit down and talk. She also stated she would initiate a letter for a propagation study.

21. Adjourn

Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Beth Moncata