

SPECIAL BOARD OF SELECTMEN'S MEETING  
7:00 P.M., MONDAY, JUNE 29, 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. Steve Levy and John Szewczyk present.

2. Approval of the agenda

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

3. Public comment

Roger Passavant asked for an update on well water quality at Deerfield Farm. L. Francis stated that a consultant has been secured for Tuesday, July 7<sup>th</sup>, at 9:00 am, to place a camera into the well to see if there are any casing problems. She noted that there was a new hit of coliform and tests that are being done by the town are coming back clear and also with no traces of chlorine. She also stated that Bill Milardo is pursuing a request of testing results from the last two years from the State Department of Agriculture; there may be a need to FOI the records. L. Francis reiterated that possible solutions are being compiled and the Assistant Health Director feels that there is no danger to anyone and that it is prudent to continue testing and look for the source.

R. Passavant stated he recalled that the State Department of Agriculture closed Deerfield Farm down in January 2015 because of bad indicators. L. Francis stated that she was not made aware of this. He questioned if it was wise to sell raw products made with water from the well. L. Francis stated she has full confidence that Bill Milardo is a responsible Health Director and would not put the public at risk. R. Passavant questioned the speed of resolving the problem noting that it has been seven months. Steve Levy asked Melynda Naples if her products are tested. She replied yes.

L. Francis stated that efforts are now being focused on the well noting she felt if the fire tank was taken out they would be in the same position with the well as they are today. She also stated that she spoke to a geologist who said that any contamination from the tank breach would not be viable at this point.

R. Passavant asked what the time line would be if the well is found to be bad. L. Francis stated that the results of Tuesdays testing would be shared with the Agriculture and Conservation Commissions. Funds are available in the budget for repairs to the well or if a new well needs to be drilled.

Richard Parmelee noted that originally there was a home on the Deerfield Farm property that serviced a family. Bob Thody questioned where the septic system might be on the property. It was suggested that he ask Bob Melvin.

R. Parmelee stated that Parmelee Road was recently resurfaced; done efficiently and in order. He also noted he felt that Bill Milardo was very competent and held him in high regard. He suggested putting a lock on the fire tank at Deerfield Farm; OSHA protocol. R. Passavant noted that the well cap should be locked as well.

Carl Stoup asked for an update on cell service. L. Francis stated she has not received a response yet on the request for study.

4. Approval for the First Selectman to enter into a three year lease agreement with Windsor Gold Star, LLC - Tabled

5. Approval for the First Selectman to enter into an agreement between St. Luke's Home Inc. and the Town of Middlefield for senior/disabled transportation services for fy15-16  
MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO GRANT APPROVAL TO THE FIRST SELECTMAN TO ENTER INTO AN AGREEMENT BETWEEN ST. LUKE'S HOME INC. AND THE TOWN OF MIDDLEFIELD FOR SENIOR/DISABLED TRANSPORTATION SERVICES FOR FY15-16. ALL AYE
  
6. Approval for the First Selectman to enter into an agreement with Middletown Area Transit for Dial-A-Ride program for fy15-16  
John Szewczyk suggested that ridership data be reviewed next year.  
  
MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO GRANT APPROVAL TO THE FIRST SELECTMAN TO ENTER INTO AN AGREEMENT WITH MIDDLETOWN AREA TRANSIT FOR DIAL-A-RIDE PROGRAM FOR FY15-16. ALL AYE
  
7. Approval for the First Selectman to enter into an agreement with Estuary Transit District for Demand Response Transportation for fy15-16  
MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO THE FIRST SELECTMAN TO ENTER INTO AN AGREEMENT WITH ESTUARY TRANSIT DISTRICT FOR DEMAND RESPONSE TRANSPORTATION FOR 1Y15-16. ALL AYE
  
8. Approval for the First Selectman to enter into an agreement with Tyler Technologies for the Revaluation of All Real Property for the October 1, 2015 Grand List  
MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO GRANT APPROVAL TO THE FIRST SELECTMAN TO ENTER INTO AN AGREEMENT WITH TYLER TECHNOLOGIES FOR THE REVALUATION OF ALL REAL PROPERTY FOR THE OCTOBER 1, 2015 GRAND LIST. ALL AYE
  
9. Request from Vista Vocational for permission to use town roads on October 18, 2015 for Vista Tour de Shore cycle fundraiser  
MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO GRANT PERMISSION TO VISTA VOCATIONAL FOR PERMISSION TO USE TOWN ROADS ON OCTOBER 18, 2015 FOR VISTA TOUR DE SHORE CYCLE FUNDRAISER PENDING RECEIPT OF INSURANCE AND INDEMNIFICATION REQUIREMENTS. ALL AYE
  
10. Request from Norm LaBlanc at Trantolo & Trantolo to use town roads on July 12, 2015 for Muscular Dystrophy benefit motorcycle ride  
MOTION BY LAURA FRANCIS SECONDED JOHN SZEWCZYK TO GRANT PERMISSION TO NORM LABLANC AT TRANTOLO AND TRANTOLO TO USE TOWN ROADS ON JULY 12, 2015 FOR MUSCULAR DYSTROPHY BENEFIT MOTORCYCLE RIDE PENDING RECEIPT OF INSURANCE AND INDEMNIFICATION REQUIREMENTS. ALL AYE
  
11. Permission to use budget line #4019 Storm Related Emergencies for expenses related to cleanup of storm on June 23, 2015  
L. Francis explained that although she does not have a total dollar amount yet, items such as fuel, food, emergency operations center expenses, and tree services expenses occurred.  
  
MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO GRANT PERMISSION TO FINANCE DIRECTOR TO USE BUDGET LINE #4019 STORM RELATED EMERGENCIES FOR EXPENSES RELATED TO CLEANUP OF STORM ON JUNE 23, 2015. ALL AYE
  
12. Permission to use Sole Source Procurement provision for LED Retrofit for traffic signal repairs at the DVFD and DVAC  
Quotes were requested from six (6) vendors; Ducci Electrical Contractors, A.M. Rizzo Electric Contractors, NY-CONN Electrical Contractors, KTM Electrical Contractors, Airway Electric Company, and Electrical Contractors Inc. Electrical Contractors was the only vendor who participated.

MOTION BY LAURA FRANCIS SECONDED STEVE LEVY TO GRANT PERMISSION TO USE SOLE SOURCE PROCUREMENT PROVISION FOR LED RETROFIT FOR TRAFFIC SIGNAL REPAIRS AT THE DVFD AND DVAC. ALL AYE

13. Bid awards

a. Arboricultural Services

Lutz Tree Service notified the Tree Warden in March that their company was going out of business. This information came just after Mr. Lutz had agreed to a one-year extension of his current contract with the Town of Durham. A bid was immediately sent out for Arboricultural Services for the coming fiscal year. Eleven tree companies were sent notification of the bid, but only one bid was received. The bidder, Allan's Tree Service, a division of Ed the Tree Man, was the sole bidder. This company is currently finishing off the work orders for the current year. It was the Finance Directors recommendation that the bid be awarded to Allan's Tree Service for one year only.

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO AWARD THE ARBORICULTURAL SERVICES BID TO ALLEN'S TREE SERVICE FOR FY15-16. ALL AYE

b. Common Fill

Two bids were received for the Sale of Common Fill located at the White's Open Space Property off of Maple Avenue. The bid calls for the purchase and removal of approximately 3,000 cubic yards of dirt. Vynalek Construction Co., Inc. \$2.50 per c/yd; G. Madore Landscaping \$3.10 per c/yd. It was the Finance Directors recommendation that the bid be awarded to G. Madore Landscaping.

MOTION BY LAURA FRANCIS SECONDED BY STEVE LEVY TO AWARD COMMON FILL BID TO G. MADORE LANDSCAPING AT \$3.10 PER CUBIC YARD. ALL AYE

14. Fiscal Analysis - May 2015

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	217,516	180,642
Revised Budget	30,240,783	29,966,420
YTD Encumbrances	247	0
YTD Expense/Revenue	27,530,878	29,723,371
Balance Unspent or Uncollected	2,709,658	243,049
Percent Spent or Collected	91.0%	99.2%

Revenues

The overall revenue budget is over 99% collected. Items of note include the following:

- There are a few final payments from State grants expected to come in over June and July.
- June collections from the Town Clerk and the Land Use offices should bring those revenues close to or over the anticipated budget.
- Final transfers in from the Reserve Fund will also be made before the close of the fiscal year.
- Tax collections remain steady, and are currently 99.5% collected based on the budget.

- Other tax related budgets have brought in over \$84,000 more than budgeted.

#### Expenditures

Expenditures continue to track favorably. As of the end of May there are no additional departments over budget. Other than the final payment to RSD13, the majority of the funds not yet spent are capital items that are being finalized by June or may need to be carried over.

#### Balance Sheet

There are no significant changes to the balance sheet this month.

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO ACCEPT MAY 2015 FISCAL ANALYSIS AS PRESENTED BY FINANCE DIRECTOR. ALL AYE

#### 15. Tax refunds - Tabled

#### 16. Approval of Board of Selectmen meeting minutes:

##### a) Regular meeting, June 8, 2015

MOTION BY LAURA FRANCIS SECONDED BY JOHN SZEWCZYK TO APPROVE REGULAR MEETING MINUTES OF JUNE 8, 2015 AS PRESENTED. ALL AYE

#### 17. 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.

John Szewczyk asked if policy should be set to clarify who the Chief of Police is in the town. L. Francis stated that it is statutory and is a title. J. Szewczyk questioned if the First Selectman had veto power over the selection of the Resident State Trooper and had the ability to request things such as traffic enforcement etc. L. Francis responded that the selection was a process of scoring and yes, she has made several requests and the State Police are very responsive and open to discussion. J. Szewczyk questioned the amount the town is paying for the RST. L. Francis responded that there is extra budget money in the fy15-16 budget and the opportunity of sharing a second shift Trooper with Middlefield. A meeting is being held on Wednesday to discuss.

L. Francis updated the Selectmen on the storm on June 23<sup>rd</sup>. Over a dozen roads were blocked, ten poles were completely broken, two people were trapped in cars; no injuries, and several homes were damaged. She thanked all emergency responders, public works, Francis Willett and Steve Levy.

#### 18. Old/New business - none

#### 19. Public Comments - none

#### Adjourn

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Beth Moncata