

BOARD OF SELECTMEN'S MEETING  
7:00 P.M., MONDAY, MARCH 28, 2016  
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 and led with the pledge of allegiance. John Szewczyk (arrived 7:19) and Steve Levy present.

2. Approval of the agenda

MOTION BY LAURA FRANCIS, SECONDED BY STEVE LEVY, TO APPROVE THE AGENDA AS PRESENTED. 2 AYE

3. Public Comments

Donia Viola expressed her disappointment regarding the non-approval of reduction of hours for union personnel. She noted the poor state of the economy, the town grand list declining, and the opportunity for workers to downsize hours not being communicated well enough to the public. She felt this to be a missed opportunity and asked the Selectmen to revisit prior to voting on the contract tonight.

Joe Pasquale, speaking on behalf of himself, asked for clarification of the Plan of Conservation and Development (POCD) June 30<sup>th</sup> deadline. L. Francis explained that there is no such "request for an extension". The Town receives correspondence from the State Office of Policy and Management every year that offers guidance for non-compliance which is granted by statute. This year there has been no legislation received for the June 2016 deadline to be granted; any town with a 2016 deadline will be non-compliant and accommodations for grants will be considered on a case by case per basis.

Simone Howe talked about her concern regarding Planning & Zoning members who have participated in Main Street discussions who she felt have a conflict of interest and referred to the Towns Ethics Policy Section 3.3. L. Francis noted that some commission members would be attending a training session being held on Saturday at UConn; Advanced Training for Land Use Boards/Conflicts of Interest and also noted that in the future members will have access to an Attorney for help in this area. Joe Pasquale suggested best practice of having all boards/commission members being required to acknowledge the Ethics Policy every year. Roger Kleeman suggested reviewing this at a Joint Boards/Commission meeting every year.

4. End of year appointments

No business

5. Proclamations

a) April Fair Housing Month  
Done at prior meeting

b) Brennan Stephen Bates, Eagle Scout

**PROCLAMATION**

WHEREAS, on Sunday April 3, 2016, Scout Brennan Stephen Bates was recognized by the Boy Scouts of America for successfully completing all requirements for Scouting's highest rank, and;

WHEREAS, Brennan has been an active Scout for over eleven years, becoming involved in scouting in the first grade as a Tiger Scout. Throughout his years of scouting he has earned over forty five merit badges, and the Arrow of Light as a Cub Scout, and;

WHEREAS, he has camped over seventy five nights, performed over five hundred hours of community service and attended more than seven summer camps. He has served as bugler, troop guide, instructor, and both assistant and senior patrol leader for Troop 270, and;

WHEREAS, for his Eagle Project, Brennan, with support from his Troop, family members, parents and fellow students, designed, purchased, and installed new school signs with small gardens underneath for two elementary schools; one at Brewster Elementary School and the other at the Francis E. Korn Elementary School. He worked with the Principals, the Board of Education, and the Town of Durham to secure all necessary approvals. Brennan was responsible for raising approximately \$3,400 in funds and securing additional donations. Over two hundred and fifty one hours of volunteer work was required to complete the project; and,

WHEREAS, Brennan participated as a Cadet in the 2015 Connecticut American Legion State Police Youth Week. During this time Cadets focused on teamwork, lived in barracks, completed drills and lived a "boot" camp lifestyle. He spent a day at the Coast Guard Academy where his swimming skills were tested. He became CPR certified, learned how K-9 Officers train their dogs and experienced driving a police cruiser; and,

WHEREAS, Brennan is currently a student at Coginchaug Regional High School and looks forward to college where he will explore two interests, law enforcement or education; and,

NOW, THEREFORE, WE, THE BOARD OF SELECTMEN, OF THE TOWN OF DURHAM, ON BEHALF OF THE RESIDENTS OF DURHAM, CONGRATULATE:

***Brennan Stephen Bates, Eagle Scout***

*For this outstanding accomplishment and extend to him our deepest appreciation for all of his dedicated work and wish him the best in all of his future endeavors.*

Laura L. Francis  
First Selectman

John T. Szewczyk  
Selectman

Steven A. Levy  
Selectman

Signed this 28th day of March 2016

MOTION BY LAURA FRANCIS, SECONDED BY STEVE LEVY, TO ACCEPT PROCLAMATION AS PRESENTED. ALL AYE

6. Tina Gossner; Town Green Revitalization

a) Status of Project

Tina presented the Selectmen with an updated print that represented 1) 13 trees that were planted in the last two years, 2) where another 13 trees will be planted, and 3) trees that the commission are looking at removing. She noted that the commission applied for and received an America the Beautiful Grant in the amount of \$4,400 that will aid in the purchase of the new trees that are anticipated to be planted after the Durham Fair. An additional 4 trees will be planted on the Main Street side with donation monies. They will also be discussing ways to clean up the monument area during the year. On April 23, 10:30 am, the Commission along with the Durham Garden Club will be having a dedication of the trees; all are invited to attend. L. Francis noted that she spoke with John Jenkins who suggested making the mulch ring around the new trees larger to help protect them; he felt stakes would be a tripping hazard. The public works crew will help with this and planting.

b) Membership

Current membership was reviewed and vacancies announced; Bonnie Penders, Bob Thody and Chad Reddick will no longer be serving due to conflicts. Appoints will be made at the next Board of Selectmen's meeting.

7. Meghann Eckenhoff Nuzzo, Market Master; Farmers Market

Prior guidelines were reviewed; Meghann requested a change in hours from 3:00-6:00, to 2:00-7:00 to allow for 1 hour before/after for setup. She also requested that the signage time for removal from the Green be updated to reflect 7:00 p.m.

L. Francis asked that Meghann speak with the vendors about the new trees on the Green to make sure that there is no damage to them. She also asked for consideration of public parking at the Town Hall during business hours and specifically on the first Thursday of the month for Chiefs meeting.

Meghann noted that there will be a committee table on site during the market to make sure all items are adhered to.

MOTION BY LAURA FRANCIS, SECONDED BY STEVE LEVY, TO RE-AUTHORIZE FARMERS MARKET AS DISCUSSED. ALL AYE

8. Approval of Certified Resolution; Small Cities Program

CERTIFIED RESOLUTION  
TOWN OF DURHAM

SMALL CITIES PROGRAM

Certified a true copy of a resolution adopted by the Town of Durham at a meeting of its Board of Selectmen on March 28, 2016 and which has not been rescinded or modified in any way whatsoever.

\_\_\_\_\_  
Kim Garvis, Town Clerk

\_\_\_\_\_  
(Date)

(Seal)

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93 - 3 83, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Durham make application to the State for \$800,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Selectmen:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and,

2. That the filing of an application by the Town of Durham in an amount not to exceed \$800,000 is hereby approved, and that the First Selectman is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, to carry out approved activities and to act as the authorized representative of the Town of Durham.

MOTION BY LAURA FRANCIS, SECONDED BY JOHN SZEWCZYK, TO ACCEPT CERTIFIED RESOLUTION FOR SMALL CITIES PROGRAM AS PRESENTED. ALL AYE

9. Tax refunds

MOTION BY LAURA FRANCIS, SECONDED BY STEVE LEVY, TO APPROVE A TOTAL OF ONE (1) TAX REFUND TOTALING \$63.50 AS PRESENTED BY THE TAX COLLECTOR. ALL AYE

10. Fiscal analysis

Fiscal Analysis – January & February 2016

The 2016 budget stands as follows:

	EXPENDITURES	REVENUE
Original Budget	30,347,812	30,347,812
General Appropriations	0	0
Grant Appropriations	0	0
Prior Year Carryovers	267,903	0
Reserve Appropriations	0	0
Revised Budget	30,615,715	30,347,812
YTD Encumbrances	140,393	0
YTD Expense/Revenue	20,480,591	26,328,209
Balance Unspent or Uncollected	9,994,731	4,019,603
Percent Spent or Collected	67.4%	86.8%

Revenues

Combined tax revenue of taxes, interest, and fees is currently 94% collected. This also includes motor vehicle supplement tax. All other local revenue is at 62% collected; which is within the range of where we should be by the end of February. State revenue has been steadily coming in and is at 55% collected.

There is no indication at this time that we will not meet our revenue projections, although there are ongoing concerns regarding the status of our State grants due to financial issues at the State level.

Expenditures

The Registrars of Voters recently attended a Board of Finance meeting to report that they expect to exceed their current year budget. The reason is that expenses for the April primary were missed in their original calculation and because additional training is required that they had not anticipated. The overage could be as much as \$25,000, but final numbers will not be available until after the Board of Education budget passes at referendum.

The Facilities Maintenance budget is already 88% spent. A review will be made of the maintenance expenses to determine if the reserve fund should have been used for some projects.

The Snow Removal budget has held up well this year thanks to Mother Nature. The budget is only 63% spent as of the end of February.

There is approximately \$83,000 of expenses made from the general fund awaiting transfers from the reserve account. Once projects are complete, these transfers will be made to balance those budgets.

The Contingency fund has been used three times to date. \$18,000 was transferred to cover the balance of the Old Indian Water Tank replacement project; \$4,600 to repair the public safety traffic signals; and \$2,000 for the Fire Marshal to contract for a 3<sup>rd</sup> party review of a large project on the fairgrounds.

The bottom line expenses as of the end of February are on target at this time. The overages can currently be covered by the balance in contingency and other budgets, such as snow removal, which are expected to have balances at the end of the fiscal year.

#### Balance Sheet

The first thing to notice about the Balance Sheet is the adoption of the Town's new chart of accounts. Although the new chart was developed to mirror our current chart as much as possible, there are a few differences due to the need for us to upload all of our financial information into the state's system.

The State of Connecticut completed its review of the Bear Rock Road project and the town was reimbursed in full for outstanding expenses related to that grant project. The Pent Road project is still under review, which accounts for the majority of the balance due from the grant fund.

MOTION BY LAURA FRANCIS, SECONDED BY STEVE LEVY, TO ACCEPT FISCAL ANALYSIS AS PRESENTED BY FINANCE DIRECTOR. ALL AYE

#### 11. Approval of Union Contract

L. Francis noted that all references to the reduction of hours had been removed from the contract. J. Szewczyk asked if minor items such as gender identity, flex time, and the addition of benefit to elect not to take town insurance was changed. L. Francis noted that these items could be addressed with the addition of a Memorandum of Understanding or to the Personnel Policy. S. Levy noted that he did not vote to approve the contract at the last meeting due to his concern of the nonunion side. The Selectmen asked for time to review the new document and a special meeting was scheduled for Wednesday, March 30<sup>th</sup>, 8:45 a.m.

MOTION BY LAURA FRANCIS, SECONDED BY STEVE LEVY, TO ADJOURN TO SPECIAL TOWN MEETING AT 8:00 P.M. ALL AYE

MOTION BY LAURA FRANCIS, SECONDED BY STEVE LEVY, TO RECONVENE SELECTMEN'S MEETING AT 9:45 P.M. ALL AYE

#### 12. Approval of Board of Selectmen meeting minutes of March 14, 2016 Tabled

#### 13. Selectmen's comments

J. Szewczyk stated that he was at the Capitol today in reference to Senate Bill #464 that was introduced by the Mayor of Hartford that would do away with collective bargaining for municipalities; would take away legislative body; power would be given to just one person. He asked S. Levy and L. Francis to review; could have effect on town.

S. Levy requested that the Town Engineer and/or Building Inspector check on the 3<sup>rd</sup> floor HVAC system.

L. Francis reviewed and discussed the town's final fy16-17 budget and results of revaluations and mil rate decrease in some resident's taxes. There was also discussion regarding District #13 budget and the waiver of minimum budget requirement.

S. Levy asked about the status of a sign on the Green that was not of appropriate size. L. Francis noted that it had already been addressed with the Zoning Enforcement Officer and Durham Fair.

#### 14. Old/New business

- a) Eversource is conducting aerial patrols on all listed Connecticut transmission lines, March 30 - April 1, 2016 and April 4-April 8, 2016; Blue & Gray Helicopter, 7:00 am to 4:00 pm weather permitting.
- b) A Request for Proposal (RFP) for an operation review of the transfer station has been issued. L. Francis will be meeting at RiverCOG to choose a consultant, Tuesday, March 29<sup>th</sup>.
- c) OSHA inspection report has been received; several findings, all posted and in various degrees of remediation. Thank you to Beth, John Jenkins and Dick McManus. Fines were reduced from \$1,940 to \$1,164. Mostly administrative issues, easy to fix. Most serious was asbestos in boiler room at the Library. Dick McManus getting quotes on remediation.
- d) Diane Huffstetler, Asst. Tax Collector/Finance Clerk has accepted a payroll position with the Town of Glastonbury. Maryjane, Martin and L. Francis are working on posting the position. A temp will start on Tuesday until a new hire is in place. J. Szewczyk commented if this would open up the opportunity of eliminating a union position.
- e) The CT DOT is planning to systemically replace existing pedestrian signing and associated subplates with new yellow retro-reflective warning signs with yellow posts at all un-signalized and midblock marked crosswalks on state routes throughout District 1. The project is tentatively expected to be constructed during the 2017 construction season.
- f) There is a pre-construction meeting schedule for Wednesday, March 20<sup>th</sup> in the District 1 Maintenance Office, 1107 Cromwell Avenue, Rocky Hill at 10:00 am. The purpose of the meeting is to review the milling and resurfacing details and set a tentative schedule for Route 147 Durham/Middlefield from Route 17 (Main Street) to beginning overlap of Route 157.
- g) Animal Control January Report; (1) bite report/quarantine order, (2) lost/found animal reports, (1) nuisance complaint, (4) roaming dog complaints, and (2) wildlife calls.
- h) Animal Control February Report; (1) barking dog complaint, (2) lost/found animal reports, (1) nuisance complaint, (6) roaming dog complaint, and (1) wildlife call.

15. Public comments

D. Viola reiterated her concern regarding the Union Contract; increases in salaries with no increase in work load. She suggested putting the budget on ballot for referendum.

J. Szewczyk spoke about an item in the contract that will reduce costs such as pensions for new hires.

L. Francis stated she would update the Selectmen with dates to meet with an actuary to explain the current pension plan, how the town has gotten to this plan, and what is available.

J. Pasquale asked if the Selectmen had the ability to reduce head count. L. Francis noted that they did on the nonunion side. J. Pasquale asked if the union employees would be on the Health Savings Account for insurance. L. Francis explained that six employees are currently on the plan and the contract that this up for approval would be for all employees. J. Pasquale talked about the variation of options for private sector pensions for new hires.

16. Adjourn

Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Beth Moncata