

**Board of Selectman
Meeting Minutes
June 23, 2011**

Attendees:

First Selectman Andrea O'Connor
Ed Hayes, Selectman
Kate McConaghy, Selectman
Jessica Weiss, Clerk

First Selectman Andrea O'Connor called the meeting to order at 7:00 p.m. at Mallory Town Hall.

First Selectman O'Connor made a motion to add four additional items to the agenda:
Under Old Business: Item F; Reconsider air conditioner replacement project, and Item G; Award roof bid.
Under New Business: Item I; Amendment to lease agreement for cell tower at Happy Acres, and Item J; Funding towards Weevil study.
Selectman McConaghy seconded and all voting in favor.

I. Approval of Minutes

- Regular meeting of May 26, 2011, motion made by Selectman Hayes and seconded by First Selectman O'Connor with two voting in favor and Selectman McConaghy abstaining.
- Special meeting of June 16, 2011, motion made by Selectman McConaghy and seconded by Selectman Hayes with all voting in favor.
- Special meeting of June 23, 2011, motion made by Selectman Hayes and seconded by Selectman McConaghy with all voting in favor.

II. Correspondence

- Application submitted to apply LOCIP funds for 2010-2011 to the Old Greenwoods Bridge Extension project approved; total available for project is \$50K.
- Copy of letter from Richard Smith recommending approval of STEAP grant applications.
- DEP Permit received for the storm water drainage at the town garage.
- Elderly transportation funds from state decreased by 25%. First Selectman O'Connor discussed with Beth Trott and discussed donations from seniors and if counted as donation versus fare, would be okay. Beth to work up a fare schedule given reduced funding.
- Notice of DOT installing bridge deck joints at River Oaks. Other bridges inspected around town and suggestions made to maintenance and repairs needed. Ron Cooper and Don Borkowski looked into report and one repair includes a manual, time-consuming process which is being further evaluated.
- Notice from DOT regarding horizontal alignment signs on rural roadways.
- CL&P emergency plan.
- Notice of municipal animal control officer going door-to-door requesting licenses.

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- Highlands report on land use and changes. Copy available for residents and also passed along to Planning & Zoning for POCD draft work.
- Oil spills noticed in residential areas and have since been cleaned up.
- Ecological report regarding land development and preservation.
- Labor attorney rates.
- Candlewood Lake Authority Minutes.
- Clear Group presentation from June 30, 2010.
- Notice of town option to join State-wide health plan which will be looked into next budget year.
- Regional Hospice and Home Care report.
- Information on how to obtain census data results.
- CIRMA risk management achievement awards announcement.

III. Public Comment

- Gary Albert requested clarification on Wakeman Hill property concerning timing of the Thursday night town meeting which First Selectman O'Connor noted this was done due to a fundraiser that Friday night. Also questioned if additional details will be addressed at BOS meeting and First Selectman O'Connor advised that information will be discussed as it becomes available. Mr. Albert questioned if renting the rooms would open up any residential rentals and it was clarified that this would not apply to residential properties as the Wakeman property would come under the zoning regulations applicable to municipal properties if it is transferred to the town. First Selectman O'Connor also clarified that if the home were to be sold, there would not be a difference to pay back and any commissions / fees associated would go against the profit of said sale.

IV. Old Business

A. Progress report on Town Projects

- STEAP Projects:
 - Library Barn: Grant agreement completed. Awaiting start of Library Project.
 - Playhouse Windows: Grant agreement completed. Historic District Commission developing specs. Project will go out to bid after roof replacement is complete.
 - Fox Run Retention Basin: Contact made with DEP, which will supervise the grant, and with Joe Zarecki regarding the development of specs for bidders. No response received to date from either.
- Infrastructure Projects:
 - Old Greenwoods Extension Bridge Repair: David Flatau is drafting specifications so project can go out to bid.
 - Library: Clay Cope provided update on schedule and noted that on June 29th, bids will be opened and Enfield is expecting 50 people to appear. Once bids have been opened, due diligence and scope work

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will begin and bids will be evaluated to create a guaranteed maximum price which will be provided to the library building committee by July 14th and presented to Library Board July 19th.

Board is also going through by-laws revisions and will have a membership meeting at the end of the month to discuss.

- Firehouse: Project moving forward with a mid-late summer probable completion date. Issue encountered with pipe in chimney being wrong size and currently being corrected.
Apparatus testing completed and was successful.
Inside work moving forward with lighting, trim, tile work and kitchen cabinetry being worked on.
Sidewalks in process of being laid and sprinkler contractor is almost complete. 25K gallon fuel oil tank has been buried and is being backfilled.
- Maintenance Projects:
 - Spring Lake Road: Project approved by P&Z and Wetlands. Attorney is proceeding with easement acquisition. Final informational meeting for residents held on June 7th. Decisions made at BOS meeting will result in final design and project will then go out to bid.
 - Road Maintenance Projects: Reclaim and pave Farm Road and remainder of Church Road. Pave Mauweehoo from Leach Hollow to Peace Pipe and pave Peace Pipe. Pave Anderson Road Extension. Pave Mallory Town Hall parking lot and add two additional parking spaces.
 - Replacement of Oil Tanks at Garage: Funding approved and specs being developed.
- Capital Non-recurring Projects:
 - Town Garage – Remaining work in connection with DEP storm water discharge permit in abeyance until SVFD apparatus is removed.

B. Vacancies and Appointments

- Tabitha Fazzone has submitted her resignation as Assistant Tax Collector due to reduction in hours. Tabitha has agreed to provide coverage in July and August. Pat Werme sent response to the Board. Matter to be discussed at July BOS meeting.
- David Wieder has resigned as the Chairman of the Land Acquisition Fund Advisory Board and there is a vacancy for a public member.
- Paul Ormiston recently resigned from Parks & Recreation, and a recommendation has been submitted for Scott Berlinger to be appointed. First Selectman O'Connor made a motion, seconded Selectman McConaghy and all voting in favor.
- Recommendation received from Don Borkowski to hire Jason Wallace for Seasonal position with Public Works. First Selectman O'Connor made a

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motion to approve this appointment, seconded Selectman Hayes and all voting in favor.

- Recommendation received from Beth Trott to hire Lynne Gomez as clerical assistant for social services. First Selectman made a motion to approve this appointment, seconded by Selectman Hayes and all voting in favor.
- Maintenance position under Parks & Recreation has not been filled at this time.
- Vacancies continue on the Conservation Commission, Inland Wetlands Commission, and Town representative to the New Milford Visiting Nurse Association Board and the Northwest Regional Mental Health Council.
- First Selectman O'Connor made a motion to appoint Jerrold Seigel and Tom Hackett to the Municipal Building Code Board of Appeals. Selectman Hayes seconded with all voting in favor. Will need one general member and two members with building/contracting experience.
- Tim Simpkins up for reappointment and motion made by Selectman Hayes to reappoint Mr. Simpkins as Part Time Director of Health, seconded by Selectman McConaghy and all voting in favor.
- HERRA appointments for Andrea O'Connor and Ruth Byrnes up in June 2011 and Selectman Hayes made motion to approve reappointment of both and seconded by Selectman McConaghy and all voting in favor.

C. Spring Lake Road reconstruction, design considerations

- Design considerations:
 - Width of Road: Residents advocating to not widen but goal would be to make road as uniform as possible for safety reasons. First Selectman O'Connor requested motion to widen the road to 19ft. versus 20ft. which would be less of an impact. Selectman Hays made motion to reconstruct the road to a uniform 19 feet in width except for the section that must remain 18 feet in width, seconded by Selectman McConaghy and all voting in favor.
 - Asphalt Thickness: Option to do one course of two-inch pavement or one course of two and a half inch pavement with the option to come back late with a top coat. Engineer felt two-inch was adequate and would also save money. Selectman McConaghy made a motion to lay one course of two and a half inch pavement and Selectman Hayes seconded with all voting in favor.
 - Guiderails: First Selectman O'Connor noted that there must be guiderails by the two culverts and she is awaiting feedback from Trooper to determine any other areas. Steel-back with wood guiderails will be used and Engineer to move forward and plans can be adjusted if more areas need to be added.

D. Format for future budgets and historical review for consistency

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- Board discussed Board of Education budget presentation and the need for revisions in order for budget to be consistent as it moves through fiscal years. Selectman McConaghy discussed including grants at the bottom of the budget in order for all funds to be accounted for versus being placed at the top. The current arrangement tends to mask the actual cost of PreK through 8 education. First Selectman O'Connor requested that discussion continue to next BOS meeting to allow more time to review potential concerns and solutions.

E. Approve charge to ad hoc committee to provide consultation service to the Board regarding Public Works department, including fleet management

- First Selectman O'Connor developed a charge to the proposed ad hoc committee, with a focus in three areas: Fleet Management, Garage Facility, and Scope of Department Responsibilities. Board awaiting additional suggestions for potential committee members.
- Noted that truck purchase has not moved forward and will await appointment of committee for this to be their first order of business.
- This will be a committee of no more than five and should be knowledgeable in one if not all of the three factors.

F. Air Conditioner Replacement

- Low bidder modified their bid, as suggested by the State, and lowered the SEER level from 20 SEER to 13 SEER so that electrical would not have to be upgraded. First Selectman O'Connor requested motion to move forward with bid by A&B Mechanical, LLC at \$36,250 with the grant being for \$36,901. Selectman Hayes made motion and seconded by Selectman McConaghy and all voting in favor.
- First Selectman O'Connor will confirm with State that the Town can proceed with the modified bid. She will go back to other bidders to request any modification they may wish to provide.

G. Playhouse Roof

- All bids reviewed and CMI came in with the low bid of \$19,230. CMI is currently engaged with work on the Richter house in Danbury. First Selectman O'Connor made a motion to award bid to CMI and seconded by Selectman McConaghy and all voting in favor.

V. New Business

A. Tax Refund Approval

- No refunds at this time.

B. Interim report from the Ad Hoc Traffic Study Committee

- Presentation created for the Board and distributed. Reviewed the purpose of the committee as promoting awareness of traffic safety in Sherman and drawing the attention of residents to the dangers of speeding, being on cellphones, illegal passing and other concerns that occur in town.

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- Discussed the first annual slogan and poster contest with the school and presentations done by the committee in each of the classes.
- Committee has been looking at gathering data and speaking with surrounding towns. Brookfield has offered to let Sherman borrow its speed monitor which records data and can provide information on speeding, the time of day it occurs, etc. This trial will allow the committee to assess whether a recommendation should be made to the town to purchase such a monitor.
- Without significant data, would be difficult to make an impact and begin to see changes with drivers. Also noted that the more data available, the more efficient the Trooper can be with regard to traffic safety, for example, in planning where he is in town at various times of the day.
- Speed signs that collect data are estimated at \$4500 to \$5000. Although have current speed monitor, it does not collect data and is not able to be retrofitted. Also discussed utilizing the Constables to assist with moving the sign around so that this is not placed on the Trooper. This would need to be looked into further with regard to liability.
- Next steps for the committee will be data gathering and determine methods to further communicate with residents such as newspaper or town meeting. Noted that school involvement will be annual.
- First Selectman O'Connor noted appreciation for focus and dedication and agreed that a trial run with the monitor from Brookfield would be ideal.

C. Discuss requests for Selectmen to write columns for Citizen News and Sentinel

- Selectman McConaghy brought up concerns with writing articles in these papers and expressing that it should only be the First Selectman who addresses the public to avoid any confusion on elected officials.
- Selectman Hayes agrees and noted that if there is a topic to discuss, an article can be submitted but a weekly column outside of this should remain with the First Selectman.
- First Selectman O'Connor understands and also expressed concerns with doing a weekly column. First Selectman O'Connor will communicate with the papers that when there is news to be communicated and article will be drafted but not on a set schedule.
- First Selectman O'Connor will also discuss Eric Holub participating in writing a column when he feels there is information pertinent to the public.

D. Consider and act on requests to encumber specific funds

- Planning & Zoning asked that the POCD line item be encumbered as they are still looking to have professional draft document. Selectman McConaghy made motion to encumber funds and Selectman Hayes seconded with all voting in favor.

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- Road Maintenance budget, approximately \$30K to be encumbered. Selectman Hayes made motion to encumber funds and Selectman McConaghy seconded with all voting in favor.
- Parks & Recreation requested that any monies remaining for their line items be encumbered to assist with the repair of the beach house which was vandalized again. First Selectman O'Connor made a motion for all to be encumbered except salary lines and Selectman Hayes seconded with all voting in favor.

E. Consider and act on proposed budget transfers

- Registrar over in supplies, move \$290 from worker salary line to supply line.
- Heating line over by \$4,720 and move \$5K from utility line to cover this.
- Move \$1K from Parks & Recreation capital improvements and \$1500 from concert series to cover overage in supply line.
- Public Works over in Supply line and will move \$4K from contracted service to help cover some of the overage.
- Overage on Land Use Counsel and will move \$5K from registrars, \$650 from legal, and \$500 from education line and \$3500 from voting supplies, all in the registrars budget, to assist with overage.
- Selectman McConaghy made motion to approve these transfers, seconded by Selectman Hayes and all voting in favor.

F. Consider and act on resolution regarding Municipal Solid Waste Collector Registration

- HRRRA currently does registration for garbage haulers serving any of the 10 member towns. In order to withstand any challenges from waste collectors about HRRRA's authority to do so, asked that each town enact the following resolution:
Be it resolved that the Board of Selectmen of the Town of Sherman hereby adopts the HRRRA Permit Application and Municipal Registration Packet, including Form A, Form B, the Sworn Affidavit, Form D and the Certificate of Insurance Requirement (collectively, the "Application Packet"), all as they may be revised and updated from time to time, as the town's/city's solid waste collector registration requirements, pursuant to P.A. 10-87, Sec. 10 (d)(1); and

Be it further resolved that the Town of Sherman hereby designates the Housatonic Resources Recovery Authority (HRRRA) to act as the town's/city's authorized agent to annually register all collectors hauling solid waste within the municipality, to collect any registration fees set by the town/city, to remit such registration fees as may be designated to the town/city, and to collect on the town's/city's behalf the annual municipal reports required by P.A. 10-87 Sec. 10 (2) from each such collector annually on or before July 31st; and

Be it further resolved that the Town of Sherman hereby authorizes and directs the HRRRA to deny a municipal registration to any collector who fails to: (a)

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complete the Application Packet in its entirety, (b) pay the required fee, or (c) fails to provide the required answer to all questions designated on Form A that are required as a matter of law or required to determine compliance with law. The Town of Sherman understands that HRRRA will notify the Chief Elected Official and the Connecticut Department of Environmental Protection in writing (including electronic mail) of the need for one or both to take enforcement action to gain compliance if HRRRA becomes aware that any collector who has been denied a municipal registration or otherwise fails to register continues to haul or collect solid waste within the borders of the town/city.

- First Selectman O'Connor made motion to adopt the resolution and Selectman Hayes seconded with all voting in favor.

G. Consider and act on a resolution with respect to income from the cell tower at Happy Acres Farm.

- First Selectman O'Connor made a motion to place income received from the cell tower lease for the 2011-2012 fiscal year into the Capital Non-recurring fund designated for future maintenance of the Happy Acres property, seconded by Selectman McConaghy with all voting in favor.

H. Town Meeting warning: July 8, 2011

- Warning of Town Meeting reviewed with first four items pertaining to the school roof and the transfer of funds to cover work. First Selectman O'Connor noted that school does have some earmarked funds that will be applied to cost and that school did pay for architectural scoping and design.
- Items 5 and 6 apply to Playhouse repairs and remaining items 7 through 9 apply to lighting, dock replacement and the authorization of the expenditure of grant funds for the air conditioning units in Mallory Town Hall.
- Board signed warning.

I. Amendment to Lease Agreement regarding improvement to cell tower at Happy Acres

- Received plan to improve cell array on silo and in conjunction an amendment to the lease agreement approving this changes as well as increase of rental rate. Documents given to Ron Cooper to review and will need to go through special permit process with Planning & Zoning if one does not already exist, which is being researched.

J. Weevil study funding request

- Study seeking contribution of \$5K from Sherman to assist with the purchase of weevils for the study. These insects are thought to kill milfoil which is a current concern with Candlewood Lake; however, the effectiveness of this approach is still undetermined.

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- Board agrees that will need to learn more and see more factual data pulled from the study sites before contributing.

VI. Selectman's Comments

- First Selectman O'Connor had conversation with Beth Trott that focused on increased services from her role under Social Services over the past two year, including increased help with energy assistance. Determine that Beth has devoted majority of her time to Social Services, whereas Suzette has devoted her time to the Senior Center. Consider review of Suzette's pay next fiscal year based on work that has been done and level of responsibility she has assumed.
- Discussed transportation at Senior Center and creating a list of people that may be able to assist; however, a special license is required. First Selectman O'Connor also noted that if a senior needs someone to accompany them on a trip, such as the grocery store, it is town responsibility to pay for such a service if requested and this is a trend that should be taken into consideration at next year's budget meetings.
- First Selectman O'Connor discussed recent HRRRA meeting in which it was announced that forward motion being made on stores taking back unused / old paint. Also discussed single stream recycling which New Milford is doing. First Selectman O'Connor also added that WeRecycle will now take back florescent bulbs for a cheaper rate than alternate disposal methods.

VI. Public Comment

- Gary Albert provided suggestions to look at revamp of cell tower carefully as to what is placed on it. Also suggested that AC work at Mallory go back out to all bidders since it has been modified. In addition questioned cost and timing of going back with top coat for Spring Lake Road and First Selectman O'Connor advised information not available.

First Selectman O'Connor made a motion to adjourn the June 23, 2011 Board of Selectman Meeting at 9:42PM with Selectman McConaghy seconding and all voting in favor.

Respectfully Submitted,

Jessica Weiss, Clerk

Andrea O'Connor

Ed Hayes

Kate McConaghy