

**Board of Selectman
Meeting Minutes
October 27, 2011**

Attendees:

First Selectman Andrea O'Connor
Ed Hayes, Selectman
Kate McConaghy, Selectman

First Selectman Andrea O'Connor called the meeting to order at 7:04 p.m. at Mallory Town Hall.

I. Approval of Minutes

- Regular meeting of August 25, 2011, motion made by Selectman McConaghy and seconded by Selectman Hayes. Selectman McConaghy requested changes:
 - Page 4, Item D should clarify that rental agreement should be for all those wishing to use space, both residents and out of town.
 - Page 5, Item D to reflect name of Charter Community Hall.
 - Page 6, Park & Recreation discussion word use of 'investigate' to be replaced with 'reviewed'.

With above noted changes, all voting in favor.

- Regular meeting of September 22, 2011, motion made by Selectman McConaghy and seconded by Selectman Hayes with all voting in favor.
- Special meeting of September 30, 2011, motion made by Selectman McConaghy and seconded by Selectman Hayes with all voting in favor.
- Special meeting of October 6, 2011, motion made by Selectman McConaghy and seconded by Selectman Hayes with all voting in favor.

II. Correspondence

- As of September 30, 2011, 54% of taxes collected.
- Letter received from Trudy Smith with number of issues. One concern regarding decision not to include funding for the replacement of the docks on the Town Meeting agenda for November 4, 2011. The second being a complaint regarding the intersection with the boat ramp and Saw Mill Road. Concern expressed with restrooms being open at the Pavillion, which were closed down after Labor Day. Discussion on the Town's readiness with regard to Tropical Storm Irene. First Selectman O'Connor to respond to Ms. Smith on these matters.
- Jim Reilly with Firehouse Emergency Management, looked at steps that need to be taken in order to improve response time. This includes issues on a state level with CL&P and State response. Both are major concerns and CL&P has taken steps to listen to concerns and has met with HVCEO Regional Group to develop plans. Legislature has also had hearings to determine what went right and wrong with the State-wide response to the storm.
- American Red Cross annually looks for heroes; towns can nominate a local resident for recognition.
- Connecticut Community Action Report.
- Grant programs looking for municipalities to work regionally.

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- Charter Communications will be conducting emergency activation testing nationwide lasting up to 3.5 minutes.
- Candlewood Lake Authority meeting minutes.
- Annual Report from Connecticut State Office of Rural Health.
- First Light Hydro Generating Company requested to modify plant monitoring system for zebra mussels, which has been approved by FERC.
- Labor Department publications.

III. Public Comment

- Questioned if Pavilion kitchen is in its completed state. First Selectman O'Connor clarified that it is not intended to be a full kitchen and no plans are in place to transition this but suggests that concern be brought to Park & Recreation regarding countertops.
- With regard to concerns with emergency response time by CL&P, brought to attention that one instance regarding an electrical box fire, it took CL&P 3 hours to respond to the call.

IV. Old Business

A. Progress report on Town Projects

- STEAP Projects:
 - Library Barn: Awaiting start of Library Project.
 - Playhouse Windows: Awaiting specs from Historic District Commission.
 - Fox Run Retention Basin: Attempting to get information from contact at DEEP.
- Infrastructure Projects:
 - Old Greenwoods Extension Bridge Repair: Project deferred, bridge needs to be replaced.
 - Firehouse: SVFD Chief Robert Accosta and Fire Chief Chris Pitcher spoke to the Department's concerns about moving into the lower bays this coming weekend as well as spoke to the delays with the project overall.

Volunteers previously read a letter that they needed to be in by October 30th or equipment would need to be relocated to storage areas around town, limiting SVFD response to emergencies and relying on mutual aid. At that time phasing plan was changed and emphasis was placed on the apparatus bays being completed, including electrical and bathrooms in working order. The dispatch room, although not complete, would be in working condition and all was passed onto the contractor. Single issue continues to be the HVAC system which is causing delays that have to do with increased costs. Contractor advised that date would be provided on October 28th with regard to when

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system would be operational. Most of equipment that is required has been installed but needs to be hooked up in the apparatus bays. SVFD Chief Robert Accosta and Fire Chief Chris Pitcher provided feedback on impact delay in construction has caused on the morale among volunteers and understands that work is being done, but expressed concerns with focus being diverted from priorities such as heat and water so that they can be in the bays by the end of the month. In order to move in, the bays do need to be cleaned out. Selectman Hayes clarified that one bay will need to remain vacant as previously discussed. Reviewed window from dispatch room into bays has not been installed yet. Contractor will work to get this in place with either the glass or a temporary solution. EMS storage room also needs to be emptied out.

Plumber will be in on October 28th and work to be completed.

Volunteers need to get details on the workings of the building and systems, such as the oil separator. Also need to know limitation on flooring in the apparatus bays. Impact on equipment also discussed as there is no room for some at the Town Garage where it is currently being housed. Also reviewed loss of volunteers from the team which impacts the entire group.

David Raines suggested more public education on the status of the Firehouse. Also questioned payment and bonds and First Selectman O'Connor noted that Town's Attorney is on hand but does not want to act on the bond and would like to preserve this right so project can continue to move forward.

Question from room as to where dispatch will be and questioned likelihood of communication glitch. Clarified that they are wired and they will bring everything over on Sunday when they move the apparatus in with no disturbance to lines and dispatch is from LCD.

Discussed insurance of equipment and First Selectman O'Connor noted that this has been addressed specifically with insurer and it is covered with two insurance policies. One is insurance that covers the town, the other is a special fire policy that covers the trucks.

Selectman Hayes clarified that although much of the internal work has been completed, there will be some stages that will be ongoing after the apparatus moves in and the trucks will need to move around within the bays to accommodate this if there are pieces of equipment coming in. Also discussed the contractor and workers parking their vehicles elsewhere so the entrance and bays are clear for response if needed.

- Library: Project is in the process of being scaled back to bring construction costs to \$2.5 million or below. Expecting to have an updated plan and budget to review in November.

- Maintenance Projects:

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- Spring Lake Road: Work in process and on schedule.
- Road Maintenance Projects: Mallory Town Hall parking area and access ways to be paved at same time as paving for firehouse projects. American Pavement was awarded bid to resurface remainder of Orchard Rest Road and remainder of Church Road. Work complete, including culvert replacement at McGoldrick's property.
- Capital Non-recurring Projects:
 - Town Garage: Remaining work in connection with DEP storm water discharge permit in abeyance until SVFD apparatus is removed. Involves installation of drainage around building.
 - Playhouse Roof Replacement: Completed.
 - Replacement of Gas Tanks at Town Garage: Pre-construction meeting this afternoon. Temporary tank is on site and above-ground tank is schedule to arrive shortly.
 - Playhouse Terrace Repair: Completed.
 - Lighting for Lower Parking Lot: Permits pulled.
 - School Roof Project: Project completed. Awaiting final bills from architect. Project within or below appropriation.
 - Energy Efficiency and Conservation: Completed.

B. Quarterly review of revenues and expenditures

- Treasurer is reporting revenues slightly ahead of previous year at this time and tax revenue is ahead as well.
- Park & Recreation program came in slightly lower than budget and lower than previous year. SPARK is ahead from same period last year and regular deposits being received.
- 52.1% of the budget is in this first quarter.
- Expenditures 1/3 into way of budget and caution is with General and Land Use Counsel and Court costs which are 57% expended combined.
- Over on general government legal notices and legal notices for town meetings.
- 7.45% expended in maintenance budget and most other accounts are on track.
- Firehouse costs and Pavilion costs asked to be broken out to have a realistic basis for formulating rental fees for each facility. Subaccounts created in building account to accomplish this. First Selectman O'Connor requested motion to move discrete items for both Firehouse and Pavilion into the discrete items list for each. Motion made by Selectman Hayes and seconded by Selectman McConaghy with all voting in favor.
- First Selectman O'Connor also received school budget and some areas of concern include apparent overexpenditures in salaries in Math and Social Studies teachers as well as overrun in the Principal's office by \$16K.

C. Consider and act on Grant and Option Agreement with the Sherman Library Association for funding the Library expansion project

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- Motion made by First Selectman O'Connor and motion read into record: Instruct the Town's Attorney to re-work the draft Agreement along the lines discussed at the meeting of the Town's Attorney with the Board of Selectmen on October 20, 2011 and in accord with the Grant Agreement entered into by the Sherman Library Association with the Connecticut State Library in consideration of its \$1 million grant toward the expansion project, the goal of the Grant and Option Agreement in consideration of the Town's \$1 million grant toward expansion project being to protect the taxpayers' investment in the expansion project and to ensure continuity in the delivery of library services to Sherman residents.
Selectman McConaghy seconded motion.
- Selectman Hayes questioned in line with state grant agreement and First Selectman O'Connor noted that state agreement has been provided and Town's attorney looking to mirror these provisions. All voting in favor of motion to instruct Town's attorney.
- Intent is to smooth out the language within the agreement. Town's Attorney has been instructed to reach out to the Library's attorney.

D. Road Maintenance for 2011 and beyond

- Board agreed to table discussion for later meeting.

E. Vacancies, appointments, and other personnel actions

- First Selectman O'Connor nominated Mike Crawford for Fire Marshal effective December 1, 2011, seconded by Selectmen Hayes and all voting in favor.
- First Selectman O'Connor nominated Ernie Winkler for Deputy Fire Marshal effective December 1, 2011, seconded by Selectmen Hayes and all voting in favor.
- First Selectman O'Connor nominated David Lathrop (New Fairfield Fire Marshal) appointed Deputy effective December 1, 2011, seconded by Selectmen Hayes and all voting in favor.
- Selectman McConaghy for the appointment of Jerrold Seigel as a Public Member to Land Acquisition Fund Advisory Board, filing vacancy created by David Wieder's resignation, seconded by Selectmen Hayes and all voting in favor.
- Vacancy on Northwest Regional Mental Health Council.
- Vacancy for Inland Wetlands alternate.

VI. New Business

A. Approve tax refunds

- Property tax refund in the amount of \$108.02 and Auto tax refund in the amount of \$163.11, motion made by Selectman McConaghy and seconded by Selectman Hayes with all voting in favor.

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B. Review auditor's recommendations and formulate policies for the future

- Letter reviewed and discussion tabled to a later date in order for more information to be reviewed.
- Will also discuss future management of Park & Recreation and Senior Center accounts.

C. Review and possibly respond to Park & Recreation Commission minutes of October 11, 2011

- First Selectman O'Connor moved that the Park & Recreation Commission be informed that their minutes appear to be in error with respect to the following:

The removal of the request for an appropriation to continue the dock replacement project from the warning of the October 21, 2011 Town Meeting was due to the low balance in the Capital and Non-Recurring Expense Fund, even taking into consideration unexpended funds from a previous appropriation and funds collected as a surcharge to boat mooring feed, not because there were "too many items on the agenda."

The discussion regarding John Wrenn's position should have been halted by the Chairman and reserved until a joint meeting of the Commission and the Board of Selectman has the opportunity to review and discuss the Findings of Fact and Conclusions being prepared by the independent investigator, which report is not yet available. Therefore these remarks should be stricken from the record.

VII. Selectman's Comments

- Mr. Hayes asked if there were any plans for a retirement event for Ernie Winkler. Mrs. O'Connor responded that planning for such an event was being done by Ruth Byrnes.
- Constables will be available for patrol of the Smoke Ridge area on Halloween; a State trooper also will be stationed at this location.
- Mrs. O'Connor asked the Selectmen to consider whether there was any interest in renting Old Town Hall for private affairs, and under what conditions.

VII. Public Comment

- There was no public comment.

Selectman McConaghy made a motion to adjourn the October 27, 2011 Board of Selectman Meeting at :PM with First Selectman O'Connor seconding and all voting in favor.

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Respectfully Submitted,

Jessica Weiss, Clerk

Andrea O'Connor

Ed Hayes

Kate McConaghy