

**Board of Selectman
Meeting Minutes
December 22, 2011**

Attendees:

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

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

I. Approval of Minutes

- Regular meeting of October 27, 2011, motion made to approve the amended minutes by Selectman McConaghy and seconded by Selectman Hayes with all voting in favor.
- Regular minutes of November 17, 2011, motion made to approve by Selectman Hayes and seconded by Selectman McConaghy.
 - Selectman Hayes requested clarification on page regarding if the Playhouse will be used for the full year as well as insurance coverage for both the Playhouse and the Scout House.
 - First Selectman O'Connor noted that the Players have a draft agreement to review and that both properties are covered under CIRMA; however, further discussions and decisions will go to next Board.
 - Selectman Hayes and Selectman McConaghy voted in favor of approval of minutes with First Selectman O'Connor abstaining as she did not attend the meeting..
- Special meeting of November 19, 2011, motion made to approve by Selectman McConaghy and seconded by Selectman Hayes with two voting in favor and First Selectman O'Connor abstaining as she did not attend the meeting..
- Special meeting of November 22, 2011, motion to approve made by Selectman McConaghy and seconded by Selectman Hayes with all voting in favor.
- Special meeting of December 1, 2011, motion made by Selectman McConaghy and seconded by Selectman Hayes with two voting in favor and First Selectman O'Connor abstaining as she did not attend the meeting..
- Special meeting of December 9, 2011, motion made by Selectman Hayes and seconded by Selectman McConaghy with all voting in favor.

II. Correspondence

- Letter of thanks received from Sherman Traffic Safety Group for financial support for purchase of "Drive Like Your Kids Live Here" signs.
- Notice of approval from FEMA for reimbursement of \$17,618.29 from storm on January 12, 2011.
 - A line item was created in the budget related to natural disasters.
 - FEMA application is being submitted for Hurricane Irene and another submission will be made for Storm Albert.
- Notice regarding bonds issued in 2000 being downgraded based on downgrading of insurer; however, this does not impact the Town's underlying bond rating.

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- Notice on land owned by AT&T.
- Minutes and audit report from Candlewood Lake Authority.
- FERC ruling denying application from Candlewood Lake Authority regarding First Light's plant nuisance plan for monitoring.
- First Light announcement to donate \$60,000 to the Candlewood Lake Authority next fiscal year.
- Interim report from the Zebra Mussels Task Force.
- HVCEO audit report.
- Child Advocacy support thank you letter.
- Pipeline report.
- Informational reports from Education Connection, Connecticut State University Center, and the Women's Center.

III. Public Comment

- No public comment.

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: Project now being managed by Chuck Lee at DEEP, who will contact the First Selectman-elect after the new year to generate a State contract.
- Infrastructure Projects:
 - Old Greenwoods Extension Bridge Repair: Project deferred, bridge needs to be replaced.
 - Firehouse: Merit has submitted a construction schedule that shows a completion date of mid-March. Little to no work has been done over the past two weeks while Merit lines up the sub-contractors necessary to complete the work. Work on permanent heat to begin next week. Notices sent to all known sub-contractors to let them know that have access to the Labor and Materials Payment Bond. To date, four sub-contractors have filed claims under this bond, and both the architect and the Town have had calls from other sub-contractors requesting directions for filing a claim.
 - Library: Mason Lord advised that no meeting was held on December 20, 2011; however, the meeting on November 30, 2011 brought the team together to look at the reduced size of the project and determine next steps. An early January 2012 date is anticipated to have the schematic design available and Enfield Builders will look to provide a budget based on the new design in early February 2012.
- Maintenance Projects:

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- Spring Lake Road: Road is paved. Guiderails need to be installed and sides of road stabilized for winter. Will need to return in Spring to seed. Problems with paving have been identified and communicated to contractor and will need to be addressed in Spring along with any defects as a result of winter weather. Town will be withholding a portion of future applications for payment to ensure that this work will be completed properly.

- Capital Non-recurring Projects:
 - Town Garage: Remaining work in connection with DEP storm water discharge permit continues in abeyance due to recent October storm.
 - Replacement of Gas Tanks at Town Garage: Original contract voided after Town learned that key person had left company and no one was licensed to do this work. Contracted with Mitchell at a price below the second lowest bidder in order to do the work before the ground freezes. Tanks pulled out of the ground December 22nd and soil was not contaminated. In process of filling hole and project to be completed by December 30th.
 - Lighting for Lower Parking Lot: Work completed.
 - School Roof Project: Project completed. Final cost to Town was \$380,958.08 of the \$390,000.00 appropriation. Submitted to State for reimbursement of approximately 28% of total cost.

- ARRA Grants:
 - Energy Efficiency and Conservation: Project completed. Have applied for reimbursement, and will close out project once received.

- Other:
 - Debris removal following Storm Alfred: Piggybacked on State contract to remove, chip, and haul storm debris at Volunteer Park under FEMA guidelines. FEMA to reimburse 75% of cost with the State covering the remaining costs. Estimated cost is \$10,000.

B. Road Maintenance for 2011 and Beyond

- Road maintenance project decisions will be left to the new Board.
- Recommendations provided regarding an additional coat of asphalt needed on Briggs, Chapel, Evans Hill and Spring Lake. Large concern with the back half of Chapel Hill due to wetlands.
- Farm Road needs to be reclaimed and repaved as well.
- Selectman McConaghy noted that there is a piece of road around Mauweehoo and Peace Pipe that will need to be given attention as well as Farm Road.
- Also noted that the Traffic Safety Group is looking at signage needed on Wakeman and Taber.

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C. Consider and act on a proposed Facilities Manager position to be shared with the School

- First Selectman O'Connor noted that the new Superintendent is supportive and feels that it is an appropriate shared position; however, would like to hold on moving forward with filling the position until new Board of Education is seated.
- Draft position description reviewed by Board. Recommendation to approve the position description and leave next steps with new Board Members-elect.
- Selectman Hayes made a motion to approve the position description for the proposed Facilities Manager position, and seconded by Selectman McConaghy with all voting in favor.

D. Consider and act on revised Library Agreement

- First Selectman O'Connor noted that the Town Attorney redrafted the agreement to be more in line with the State agreement who is handling the grant.
- First Selectman O'Connor made a motion to approve the redrafted agreement, and seconded by Selectman McConaghy with all voting in favor.

E. Consider and act on findings and conclusions regarding John Wrenn

- Executive session was anticipated; however, Mr. Wrenn submitted a written request that findings, conclusions, and deliberations be discussed publicly.
- First Selectman O'Connor provided a background on reason for investigation noting that new auditors were hired and were asked to look at the special accounts that were held by the School, Senior Center, and Parks & Recreation. In that review, the auditor was not able to find the documentation required to back up transactions made or deposited with regard to both the checking account maintained by the Park & Recreation Direction and the American Express card issued in his name.
- Given the missing documentation along with past events concerning SPARK funds being left in the office and not deposited, the Town's labor attorney recommended a secondary investigation be held to review findings from auditor as well as the expectations previously agreed to be upheld by Mr. Wrenn when performing his duties. Under this outside review, the State Trooper also accompanied Mr. Wrenn to the office to secure any files needed for review. The purpose of this accompaniment was to remove any outside interference as well as protect Mr. Wrenn and the Town from any questioning regarding the contents of the files.
- In the conclusion of the findings from the outside review, it was determined that reporting did not comply with reporting expectations, there was a failure to comply with municipal records retention schedule which requires that receipts and other program documentation are to be kept for at least three years or until next audit, whichever is later.

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- Residents expressed their views on the findings and conclusion with general feedback being that Mr. Wrenn was not given proper instructions on exact record keeping expectations and no manual with written instructions was provided for guidance. Additional concerns indicated that a clerk should be hired to keep such records.
- Concern noted regarding the performance expectations provided to Mr. Wrenn and if he was involved with discussions and agreed to what was outlined. First Selectman O'Connor advised that it was multiple months of review and discussions with both Mr. Wrenn and Fran Frattini and all parties agreed to outlined expectations.
- Further unease expressed by residents regarding why the investigation needed to take place and why a third party had to be brought in. First Selectman O'Connor advised that there was a fiduciary responsibility to the Town that must be upheld and steps were required to meet this responsibility.
- First Selectman O'Connor clarified that no money was missing from Parks & Recreation. It was a case of records retention and missing records and receipts in support of financial transactions. The Board expected that Parks & Recreation Commission to manage any follow-up with Mr. Wrenn to ensure expectations were being met.
- Stan Greenbaum, Parks & Recreation Commission, noted that they, as a Commission, did not follow-up and provide Mr. Wrenn with the guidance that he needed with regard to record retention. Methods and guidelines will need to be created by the Commission to ensure that such an occurrence does not happen in the future.
- Mr. Wrenn spoke and advised that he tracked all of the expenditures as he has for the past 25 years, and only this year has it become a point of contention. He noted that he did not keep the American Express receipts as the bill has all of the information on it and this has always served the purpose in the past. He acknowledged that he did not keep or request itemized receipts from employees using the American Express card as he "trusted them." He met with the auditor and was given an outline of what he needed to do in order to keep proper records and will move forward using these record keeping methods.
- First Selectman O'Connor indicated that she had discussed the findings, conclusions, and possible disciplinary measures at length with Ms. Frattini and they agreed upon a period of probation where there will be a reasonable level of account keeping. Selectman Hayes advised that in all conversations, Mr. Wrenn's integrity was never called into question; however, the record keeping within Parks & Recreation was.
- Mr. Wrenn to be reinstated to position as of Tuesday, December 27, 2011 and First Selectman O'Connor will forward a letter to Mr. Wrenn outlining the probation period.

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F. Allocate any remaining bond interest earned on previously issued bonds toward completing ESF project

- Selectman Hayes made a motion to allocate the remaining bond interest earned towards completing the ESF building, and seconded by Selectman McConaghy with all voting in favor.

VI. New Business

A. Approve tax refunds

- Selectman Hayes made a motion to approve the refund of auto for \$47.96, and seconded by Selectman McConaghy with all voting in favor.

B. Consider and act on a proposed increase in compensation for Frank Spaziani due to increased responsibilities for Town maintenance activities

- Currently the fund is paying Mr. Spaziani \$200 per month for his work around the Town. First Selectman O'Connor recommends an increase to \$1,450 per month.
- Given all his current responsibilities and the fact that he is on call with the Town and this is where much of his time is spent, Selectman McConaghy agrees with this suggested increase.
- Selectman Hayes questioned how amount was determined, and First Selectman O'Connor advised that it is on par with what the school's payment to Mr. Spaziani will be increased.
- First Selectman O'Connor made a motion to increase compensation for Mr. Spaziani from \$200 per month to \$1,450 per month, and seconded by Selectman McConaghy and all voting in favor.

C. Consider and act on the proposed meeting calendar for 2012

- 2012 meeting schedule to be approved at this meeting can be altered by the Board taking office in January, but any such changes must be provided to the Town Clerk as soon as possible as other Town meetings move around the Board of Selectman meeting and use of space.
- Selectman McConaghy suggested revision to calendar for meeting date on December 27, 2012 to move to December 20th.
- Selectman McConaghy made a motion to accept the calendar with the revised December meeting date, and seconded by Selectman Hayes with all voting in favor.

D. Consider and act on the proposed holiday calendar for 2012

- First Selectman O'Connor advised that the calendar shows a half day for the day before Christmas in 2012 under the contract with Public Works crew but not for members of the clerical/administrative union or non-unionized employees. Board of Selectman can elect to make this day a half day for all employees.

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- Selectman McConaghy made a motion to accept the holiday 2012 calendar with a half day before Christmas for all employees being noted, and seconded by Selectman Hayes with all voting in favor.

E. Appointments and reappointments

- Parks & Recreation Commission: First Selectman O'Connor made a motion to reappoint Karen Kellett to a term to expire on 01/01/2015, and seconded by Selectman McConaghy and all voting in favor.
- Inland Wetlands Commission: Selectman Hayes made a motion to reappoint Frank Galasso to term to expire on 01/01/2016, and seconded by First Selectman O'Connor with all voting in favor.
- Conservation Commission: Appointed by the First Selectman – First Selectman O'Connor appoints Karen Alward to term to expire on 01/01/2015, reappoints Ashleigh Blake to term to expire on 01/01/2015, and reappoints Patricia Bailey to term to expire on 01/01/2015.
- Commission on Aging: First Selectman O'Connor made a motion to reappoint Jeanette Perlman and Peter Cohen to terms to expire on 01/01/2015, and seconded by Selectman McConaghy with all voting in favor.
- Historic District Commission: Appointed by the First Selectman – First Selectman O'Connor reappoints Liz Mard to term to expire on 01/01/2017.
- Land Acquisition Fund Advisory Board: First Selectman O'Connor made a motion to reappoint Al Kenney, public member, to term to expire on 01/01/2016, and seconded by Selectman Hayes with all voting in favor.
- Candlewood Lake Authority: First Selectman O'Connor made a motion to reappoint Phyllis Schaer, as delegate, to term to expire on 01/01/2015, and seconded by Selectman McConaghy with all voting in favor.
- Charter Cable Advisory Council: Appointed by the First Selectman – First Selectman O'Connor reappoints George Linkletter and Tom Joyner, to terms to expire on 01/01/2014.
- Housatonic Resource Recovery Authority: As First Selectman O'Connor is the current delegate, the new delegate will be left to the First Selectman-elect as First Selectman O'Connor has resigned as of December 31, 2011 and noted that Ruth Byrnes is the Alternate.
- Hearing Officer(s): Appointed by the First Selectman – First Selectman O'Connor reappoints Daniel Leary and Timothy Edmond, to terms to expire on 01/01/2014.
- Tree Warden: Appointed by the First Selectman – First Selectman O'Connor reappoints Robert Judd, term to expire on 01/01/2014.
- Zoning Board of Appeals: First Selectman O'Connor made a motion to reappoint Gary Smolen, Lucinda Pollack and Helen Bray, to terms to expire on 01/01/2014, and seconded by Selectman McConaghy with all voting in favor.

F. Vacancies

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- First Selectman O'Connor announced the resignation of Jessica Weiss as Clerk to the Board of Selectman and Land Acquisition Fund Advisory Board as of December 31, 2011.

VII. Selectman's Comments

- First Selectman O'Connor, Selectman Hayes and Selectman McConaghy gave their thanks to one another for being on the Board together and for all that has been accomplished during their time for the Town.

VII. Public Comment

- Audience members provided their thanks to the Board of Selectman for all of their hard work and for taking care of the Town during their time serving.

First Selectman O'Connor made a motion to adjourn the December 22, 2011 Board of Selectman Meeting at 8:45PM with Selectman Hayes seconding and all voting in favor.

Respectfully Submitted,

Jessica Weiss, Clerk



Andrea O'Connor

Ed Hayes

Kate McConaghy