

Board of Selectmen
Town Office Annex
August 18, 2010
Regular Meeting Minutes

Selectmen Present: Mark Walter, Pete Govert and Emmett Lyman.

Also Present: C. Behilo, E. Blaschik, B. Dutch, R. Dill, B. Dillon, P. Stricker, S. Wheeler, L. Zemienieski

1. First Selectman Walter called the meeting to order at 7:04 p.m. and the attendees said the Pledge of Allegiance.

2. Approval of Agenda: Mr. Walter advised that he would like to move agenda item 7.J. - RFQ Award – Construction Manager Middle School Conversion Project, up to follow Agenda item 5 – First Selectmen’s Discussion. Motion made by Mr. Govert, seconded by Mr. Lyman, to approve the agenda as amended. Unanimous aye.

3. Approval of Minutes: Regular Meeting of August 4, 2010: Ms. Wheeler advised that the tape number referenced at the end of the meeting minutes should be changed to “619B”. Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the minutes of the Regular Meeting of August 4, 2010 as amended. Unanimous aye.

4. Correspondence:

A. Letter From The Economic Development Commission Regarding Former Torah Institute: Mr. Walter called the Selectmen’s attention to a copy of a letter in their meeting packets from the Economic Development Commission (EDC), dated August 6, 2010. He noted that the letter expressed EDC’s support of Mr. Paul Nedovich’s plan to develop the Grand View Camp Resort. He advised that he had been unable to attend the Planning and Zoning Commission’s meeting where there had been an informal discussion of Mr. Nedovich’s plans.

Ms. Stricker reported that she and several other EDC Commissioners had attended the P&Z meeting and that a walk-through of the property had been scheduled for August 19th. She stated that the purpose of the walk-through was to determine if there was sufficient vegetation along the boundaries of the property to allow P&Z to modify the 200 foot set-back requirement. In response to a question from Mr. Walter, she stated that she felt that the P&Z board members had been open and receptive to Mr. Nedovich’s proposal.

5. First Selectman’s Report: Mr. Walter reported that Public Works has rented paving equipment for the month of August and has been doing quite a bit of spot road repairs.

7.J. Unfinished Business – RFQ Award – Construction Manager Middle School Conversion Project: Mr. Walter called the Selectmen’s attention to a copy of a letter in their meeting packets from Maryjane Malavasi, Chairman of the Middle School Conversion Committee, advising that the Committee had unanimously voted to recommend Newfield Construction be awarded the contract for Construction Manager for their project. He then asked Ms. Stricker to provide them with information about the Committee’s recommendation.

Ms. Stricker reported that 16 firms had responded to the posting of the Construction Manager RFQ and 9 firms had submitted bids. She advised that the Committee had interviewed four of the firms and were very impressed by Newfield's experience and presentation. She reiterated that the Committee was unanimous in its decision to recommend that the Town retain Newfield as Construction Manager for the project.

Ms. Stricker advised that Newfield has agreed in writing to defer their \$20,000.00 fee for pre-construction work until after a successful referendum. She stated the pre-construction work includes value engineering and development of a firm maximum price for the project. In response to a question from Mr. Walter, the Middle School Committee members present at the meeting agreed that it was their opinion that the fee would still be payable if the project failed at referendum.

In response to a question from Mr. Govert, Ms. Stricker advised that Newfield stated they would sub-divide some of the larger aspects of the work they sub-contract so that local contractors can be considered for work on the project. She noted that Newfield had also proposed a plan to educate them on how to write prevailing wage bids. It was agreed that the contract with Newfield should clearly stated that they must make a "strong effort" to use local contractors when possible.

There was a general discussion about similar projects Newfield has worked on, endorsements from other municipalities, and the Town's experience with their work on the new 4 – 8 Middle School. Mr. Walter noted that the final change order from the new 4 – 8 Middle School project was declined by the State and advised that the Town was researching the State's claim that the change order was not submitted within the stipulated time period.

In response to a question from Mr. Lyman, Ms. Stricker advised that they expect to schedule the referendum on this project in the late fall.

Motion made by Mr. Walter, seconded by Mr. Lyman, to award the contract for Construction Manager Services for the Middle School Conversion Project to Newfield Construction, Inc. upon approval of the contract by the town attorney. Unanimous aye.

Mr. Govert requested that Mr. Walter encourage the Town's attorney to review the contract promptly so as not to delay the project.

Mr. Walter advised that, for the record, he would like to thank Ms. Zemienieski for all her work on processing the various RFQs and other paperwork for this project.

6. Citizen's Concerns: There were no citizen's concerns expressed at the meeting.

7. Unfinished Business

A. 4-8 Middle School: Mr. Walter stated that the Town was continuing its research regarding the State's claim that the project's last change order was submitted late.

B. Goodspeed Opera House Update: Mr. Walter stated that he had toured the two houses on Creamery Road and Mr. Blaschik advised that the footings for the houses on Ray Hill Road were in. In response to a question from Mr. Walter, Mr. Blaschik advised that the project was moving forward but was behind on its original schedule.

Mr. Blaschik noted that the Actor's Union has received complaints about the lack of sidewalks on Route 82 and vehicles speeding on the road. He stated that Mr. Walter could get a copy of the complaint from Ms. Kittner. Mr. Walter noted that he has made the police aware of the complaint.

C. Old Middle School: In response to a question from Mr. Govert, Mr. Walter stated that the youths who set-off the alarm at the school, as reported in the August 4th meeting minutes, had entered through an unlocked door. He asked Ms. Zemienieski to post a sign on the door reminding people to lock it when they leave.

D. Road Acceptance and Associated Drainage Easement – Meadow Brook Road: Mr. Walter advised that he had no update on this agenda item.

E. STEAP Power House Road Grant: There was no new update on this agenda item.

F. Request for Golf Cart Ordinance: There was a general discussion regarding this agenda item and Mr. Govert suggested Mr. Walter also request that Emergency Management and Ambulance Association provide opinions on the request. He also suggested a public hearing be scheduled to discuss the opinions received from the various Town entities.

G. Clark Gates Road Petition: Mr. Walter reviewed the background on this petition and suggested that 30 mph would be a more reasonable speed limit for the street. He noted that Mr. Thumm was not in favor of installing speed bumps and Mr. Walter felt that the cost and maintenance of parabolic speed bumps would be prohibitive. Several other options were discussed including permanent and temporary rumble strips. Mr. Behilo suggested installing the speed trailer before school starts and Mr. Govert recommended regular reminders, discouraging speeding on the street, be included in school communications sent to parents.

H. Grange Hall – Approval to Serve Beer and Wine: Mr. Walter called the Selectmen's attention to a copy of a letter from Emmett Lyman, dated August 2, 2010, requesting permission to serve alcoholic beverages at the Grange on September 18th at a memorial service for Ted Harris.

Motion made by Mr. Walter, seconded by Mr. Govert, to approve the serving of beer and wine at the Grange Hall for the "Memorial Service for Ted Harris" on September 18, 2010. Mr. Lyman abstained from the vote. Motion passed with a majority of ayes.

I. Rotary Club Donation of Edgar D. Williams Park: Mr. Walter reported that Mr. Ventres would research the environmental testing previously done on the site. In response to a question from Mr. Govert, Ms. Zemienieski advised that she had requested a history of the Rotary's expenses related to the park.

J. RFQ Award – Construction Manager Middle School Conversion Project: This agenda item was discussed earlier in the meeting and is reported on in the above minutes.

K. Commission on Aging Ordinance: Mr. Walter advised that the Committee on Aging had made a few changes to the new draft ordinance and that the Town's attorney would have to review those changes.

Motion made by Mr. Govert, seconded by Mr. Lyman, to approve an ordinance entitled "Commission on Aging Ordinance", contingent upon the Town attorney's review and approval of the

latest changes requested by the Committee on Aging, and send to the next Town Meeting for approval. Unanimous aye.

8. New Business

A. Fire Department Pension Ordinance Revision: Mr. Walter stated that this agenda item was not ready for discussion and recommended tabling the item at this meeting. The Selectmen agreed with his recommendation.

B. Call for Town Meeting: The board discussed the call to send various items to Town Meeting.

Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the following call for Town Meeting:

The Electors and citizens of the Town of East Haddam, Connecticut qualified to vote in Town Meeting are hereby warned and notified that a Special Town Meeting will be held in the Town Hall on Town Street in the said Town of East Haddam at 8:00 p.m. on Tuesday, August 31, 2010 for the following purposes, to wit:

Item 1: To consider and act upon the recommendation of the Planning and Zoning Commission and Board of Selectmen to accept the following resolution:

RESOLVED, that the Town Meeting authorize the Board of Selectmen to accept and acquire a certain drainage easement over land of Judy E. Latham, or current owner know generally #123 Salem Road, East Haddam, Connecticut, together with the right to drain water and to install and maintain drainage facilities and appurtenances all as more particularly described in the proposed drainage easement and shown on a survey map of the same, copies of which are on file with the office of the Town Clerk.

Item 2: To consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to adopt the following resolution:

RESOLVED, that a grant in the amount of \$3,000 is hereby accepted from the State of Connecticut, State Library, for the purpose of historic document preservation and appropriated to the Historic Document Preservation Fund; and that Mark B. Walter, First Selectman, is empowered to execute and deliver in the name and on behalf of this municipality, a contract with the Connecticut State Library for a Historic Document Preservation Grant.

Item 3: To consider and act upon the recommendation of the Board of Finance to appropriate \$20,601.96 from the Contingency Fund (704-588701) for fiscal year ended June 30, 2010 to write off General Fund accounts receivable.

Unanimous aye.

C. Clean Energy Task Force Resignation: Mr. Walter called the Selectmen's attention to a copy of an e-mail in their meeting packets from Michael Harris, dated August 4, 2010, resigning from the Clean Energy Task Force.

Motion made by Mr. Walter, seconded by Mr. Govert, to accept, with deep regret, the resignation of Michael Harris as a regular member of the Clean Energy Task Force. Unanimous aye.

D. Volunteers of the Month (July & August): Mr. Walter called the Selectmen's attention to a copy of an e-mail in their meeting packets from Tiffany Quinn, Director of Parks & Recreation, dated August 10, 2010, nominating Anthony Cassella and Andrew Marsh for the July and August Volunteers of the Month, respectively. Ms. Quinn's e-mail stated that both boys had worked at the Rec Department's summer camp as interns and that, "...both were very respectable, polite, and conscientious workers ... The camp kids enjoyed playing with Anthony and Andrew ... [and they] made valuable contributions to the program and the kids they worked with".

Motion made by Mr. Walter, seconded by Mr. Govert, to name Anthony Cassella as a volunteer of the month for July 2010. Unanimous aye.

Motion made by Mr. Walter, seconded by Mr. Lyman, to name Andrew Marsh as a volunteer of the month for August 2010. Unanimous aye.

E. Tax Refunds: Mr. Walter called the Selectmen's attention to three tax refunds.

Motion made by Mr. Walter, seconded by Mr. Lyman, to award tax refunds in the amounts presented.

- \$122.44 to Richard and Mary Richards,
- \$ 31.04 to Ellis Adams, and
- \$940.38 to Virginia Mansfield & Bonnie LeMay c/o Linda Stuhlman Trustee.

Unanimous aye.

9. Public Comment: Mr. Behilo advised that he had joined the meeting after the discussion of EDC's letter regarding the former Torah Institute and, at his request, Mr. Walter summarized the discussion.

Mr. Dill advised that the Wetlands Commission will be submitting a request to the Board of Selectman for a change in its ordinance removing the requirement that a member of the Conservation Commission sit on its board. Mr. Lyman elaborated on the conflict of interest issues that occur for Conservation Commissioners by participating on the Wetlands Commission. Mr. Dill also solicited names of potential new members for the Wetlands Commission.

10. Selectmen's Discussion:

A. Agriculture Commission Discussion: The Selectmen reviewed the list of potential members for the Agriculture Commission and Mr. Govert advised that he would pick-up Mr. Cone's application next week.

Motion made by Mr. Walter, seconded by Mr. Govert, to appoint Dennie Burak, Scot Mackinnon, Harvey Thomas and Peter Dean as regular members of the Agriculture Commission for staggered 3-year terms, with initial appointments to be three members for two years and two members for one year; thereafter all terms for regular members shall be three years; and Peg Carlson and Jessica

Marshall as alternate members of the Agriculture Commission for staggered 2-year terms, with initial appointments to be one alternate for 2 years and two alternates for one year; thereafter all terms of alternates shall be two years. Unanimous aye.

The Selectmen discussed the request of the Open Space Commission to amend their ordinance to include an Agriculture Commissioner on their board. Mr. Walter stated he would follow-up on their request.

B. Other: Mr. Govert reported that Mr. Craig Bradway of DCS Energy of South Glastonbury, Connecticut had met with the members of the Clean Energy Task Force and offered free installation of 10kw solar panels on various Town buildings. He advised that the company was able to make the free offer to municipalities and non-profits because it receives funding from ARRA and an anonymous wealthy donor. He noted that the Town of East Hampton was currently participating in the program.

Mr. Govert provided Mr. Lyman with background material regarding the company and stated that Mr. Carroll was also researching the offer for the Clean Energy Task Force. The Selectmen and meeting participants brainstormed a number of Town buildings that could participate in the program.

11. Adjournment: There being no additional regular business to discuss, a motion was made by Mr. Walter, seconded by Mr. Govert, to adjourn the meeting at 8:22 pm. Unanimous aye.

Respectfully submitted,

Tape 620A
620B

Emmett Lyman, Secretary