

Board of Selectmen
Grange Hall
December 20, 2017
Regular Meeting Minutes

Selectmen Present: E. Lyman; S. Link; R. Smith

Also Present: A. Blaschik; E. Blaschik; K. Blaschik; C. Brownell; D. Dill; E. Dill; R. Dill; J. Moreau; C. Read; K. Staehly; S. Wheeler; L. Zemienieski

1. First Selectman Lyman called the Board of Selectmen's meeting to order at 7:00 p.m. and the attendees said the Pledge of Allegiance.
2. Approval of Agenda: Motion made by Mr. Lyman, seconded by Mr. Smith, to approve the Agenda as written. Unanimous aye.
3. Approval of Minutes: Regular Meeting of December 6, 2017 and Special Meeting of December 18, 2017

Motion made by Mr. Lyman, seconded by Ms. Link, to approve the minutes of the Regular Meeting of December 6, 2017, as written. Unanimous aye.

Motion made by Mr. Lyman, seconded by Mr. Smith, to approve the minutes of the Special Meeting of December 18, 2017, as written. Unanimous aye.

4. Correspondence

A. Library Employee Commendation Email: Mr. Lyman called the Selectmen's attention to a copy of an email in their meeting packets, dated December 13, 2017, from Michael Gilroy, East Haddam Library System Director. He noted that Mr. Gilroy had forward an email from Aubrey McCauley commending employee Karen VanZetten and stating she is "... a great asset to our library".

5. First Selectmen's Report: Mr. Lyman called the Selectmen's attention to the 2018-2019 Budget Development Calendar in their meeting packets. He noted that the Board of Selectmen are scheduled to hold Budget Workshops on February 3, 6, 12 and 13.

A. New Tax Laws – Denise Dill: Mr. Lyman recognized Tax Collector Denise Dill who stated that, as a result of a recent change in the Federal Tax Code capping the property tax deduction at \$10,000.00, she has received several inquiries regarding early payment of property taxes. She stated that state law prohibits pre-payment of unbilled property taxes. She noted that any such pre-payments would be considered tax fraud and she wanted to make the Selectmen aware of that in case they receive similar inquiries. Mr. Lyman thanked Ms. Dill for the information.

B. Shared Services Report – December: Mr. Lyman called the Selectmen's attention to a copy of the December Shared Services Report in their meeting packets. He reviewed several of the items on the report and noted the following:

- Renovations to Fire Co. #1 will be delayed slightly because a hazardous material was found in the walls during construction work and must be treated.
- The emergency generator is now fully operational and is being stored at Public Works.

- The fence around the new municipal facilities building has been removed and it is worth a drive-by to see the building. He noted that the public cannot go into the building and that the town offices' move is still on track for President's Day weekend.
- The gymnasium roof at the elementary school was not one of the roofs that was recently replaced and, consequently, the tears in the roof that were repaired did not constitute a failure of new work.

6. Citizen's Concerns

In response to a concern raised by Mr. Moreau, Mr. Lyman advised that the Fire Company Building Committee would address the hazardous material found in the wall and he is confident that the staff will not be negatively affected.

7. Unfinished Business

- A. Solid Waste Facility Ordinance Amendment/Transfer Station Discussion: Mr. Lyman called the Selectmen's attention to material in their meeting packets regarding the volunteers for the Transfer Station Committee.

Motion made by Mr. Lyman, seconded by Mr. Smith, to appoint James Jansky, Jr., James Rogers, Robert Bennett, Robert Morsch and Mike Birner as regular members and Gregory Egnaczyk and Vincent Ceceri as alternate members on the Transfer Station Committee, terms to expire at completion of the project. Unanimous aye.

Ms. Link recommended moving Public Works Director Lunt's name to the list of support staff for the Committee and stated that she hopes Transfer Station Foreman Don MacKenzie will also participate in Committee meetings as much as possible.

- B. Ordinance Codification Discussion: Mr. Lyman called the Selectmen's attention to a draft notice regarding the ordinance codification project. He stated the notice will be posted in an upcoming edition of the East Haddam News. The Selectmen reviewed the draft and recommended a minor revision.

In response to a suggestion by Mr. Smith, Ms. Zemienieski advised that a hard copy of the draft code book is available in the Town Clerk's office.

- C. Horizontal Curve Safety Project Update: Mr. Lyman reported that the supervising engineer for the State's Horizontal Curve Safety Project advised him that, due to bad weather, the completion of the project has been delayed beyond the proposed December 12th date. Mr. Lyman advised that the supervisor will keep him informed of the project's progress.
- D. Charitable Games Transition to Municipalities: Mr. Lyman reported that a recent state law change, Public Act 17-231, transfers the permitting and reporting responsibility for bingo, raffles and bazaars from the state to municipalities. He stated that the Act allows municipalities to set the permit fees for these games and his recommendation is to set the Town's fees equal to the fees that are currently being charged by the state. He noted that the charitable organizations are accustomed to paying these amounts and the Town will benefit from the income.

Mr. Lyman advised that the Town is still working out the permitting process for the games but he would like to set the fee structure. He stated that the acceptance of individual Bingo PIN Operator registrations, previously approved by the state, would also require approval.

Motion made by Mr. Lyman, seconded by Ms. Link, to recognize the State issued individual Bingo Operator registrations and to approve the following fee structure for bingos, bazaar and raffles:

<i>Type</i>	<i>Prior Law Permit Fees</i>	<i>Under the Act: Municipality May Charge Up To:</i>	<i>East Haddam Fee</i>
Bingo – Class A	\$75	\$75	\$75
Bingo – Class B	\$5 per day	\$10 per day	\$5 per day
Bingo – Class C	\$50	\$50	\$50
Raffle – Class 1	\$25 to State \$25 to Municipality	\$75	\$50
Raffle – Class 2	\$10 to State \$10 to Municipality	\$30	\$20
Bazaar – Class 3	\$10 per day to State \$10 per day to Municipality	\$60 per day	\$20 per day
Raffle – Class 4	\$5 to Municipality	\$15	\$5
Raffle – Class 5	\$40 to State \$40 to Municipality	\$120	\$80
Raffle – Class 6	\$50 to State \$50 to Municipality	\$150	\$100
Raffle – Class 7	\$100 to State \$0 to Municipality	\$300	\$100

Unanimous aye.

- E. Police Collective Bargaining Agreement Discussion: Mr. Smith advised that, after considerable thought, he would like to change his vote on the Police Collective Bargaining Agreement.

Motion made by Mr. Smith, seconded by Ms. Link, to reconsider the vote at the Board of Selectmen meeting of December 6, 2017, regarding the Collective Bargaining Agreement between the Town of East Haddam and the International Brotherhood of Police Officers Local 394 for the period from July 1, 2017 through June 30, 2020.

Ms. Link expressed her concern about initiating re-votes on passed motions. She noted that Mr. Smith appeared to have thoroughly researched the Police contract and his concerns were discussed during the Executive Session at the Selectmen’s regular meeting of December 6th. She stated that she feels reconsidering the vote could set a dangerous precedent.

Mr. Lyman called the Selectmen’s attention to materials in their meeting packets relaying the Town’s attorneys’ opinion on reconsidering votes on previously passed motions. He noted that if the previous vote is overturned, it would result in costly arbitration and potential liability since the contract has already been signed.

Mr. Smith stated that he understood the potential consequences; however, his vote on December 6th was based on the fact that the Police Union had already signed the contract and the Town’s

ratification of the Agreement was primarily procedural. He noted that, although he respects the local Police and feels they are doing a good job for the Town, he does not feel the contract represents the Town's best interests.

Mr. Smith and Ms. Link voted aye on the above motion and Mr. Lyman voted no. The motion passed by a majority of ayes.

Motion made by Mr. Smith, seconded by Ms. Link, to accept the Collective Bargaining Agreement between the Town of East Haddam and International Brotherhood of Police Officers Local 394 for the period from July 1, 2017 through June 30, 2020. Mr. Lyman and Ms. Link voted yea and Mr. Smith voted no. The motion passed by a majority of ayes.

8. New Business

A. Board/Commission/Committee Changes (AGC, ZBA, BOFC) –

Agriculture Commission

Mr. Lyman called the Selectmen's attention to an email dated December 5, 2017 from Ron Gross, Chairman of the Agriculture Commission, noting recommendations on membership for the Commission. He noted that follow-up emails from Tanya Bourgoin, Ron Gross and Kevin Staehly are also included in the meeting packets. He stated that Mr. Staehly does not wish to be reappointed to the Agriculture Commission.

Motion made by Mr. Lyman, seconded by Ms. Link, to reappoint Ronald Gross for a three-year term to expire January 1, 2021, as a regular member on the Agriculture Commission.

Mr. Smith expressed his concern about reappointing Mr. Gross to the Agriculture Commission, based on behavior he had witnessed and objections raised from several Commissioners.

Mr. Lyman and Ms. Link voted aye and Mr. Smith voted no. The motion passed by a majority of ayes.

Motion made by Mr. Lyman, seconded by Ms. Link, to reappoint Ronald DiStefano for a two-year term to expire January 1, 2020, as an alternate member on the Agriculture Commission. Unanimous aye.

Motion made by Mr. Lyman, seconded by Ms. Link, to appoint Keith Wilson to the vacant alternate position, with a term to expire January 1, 2020, on the Agriculture Commission. Unanimous aye.

Zoning Board of Appeals

Mr. Lyman called the Selectmen's attention to a copy of an email from J. Gregory Daigle, Chairman of the Zoning Board of Appeals, advising that the Board recommended an alternate member appointment.

Motion made by Mr. Lyman, seconded by Mr. Smith, to appoint James Fennema to fill a vacant alternate position with a term to expire January 2021 on the Zoning Board of Appeals. Unanimous aye.

Board of Fire Commissioners

Mr. Lyman called the Selectmen's attention to the December minutes of the Board of Fire Commissioners recommending an appointment to the Board of Fire Commissioners.

Motion made by Mr. Lyman, seconded by Mr. Smith, to appoint Jennifer Spencer for a first three-year term to expire January 1, 2021, as a member of the Board of Fire Commissioners.
Unanimous aye.

B. Tax Refunds: There were no tax refunds discussed at the meeting.

9. Public Comment: The following public comments were discussed at the meeting:

- Mr. Read expressed concern about reappointing Mr. Gross to the Agriculture Commission based on the fact that several Commissioners have expressed dissatisfaction with his past performance. Mr. Lyman noted that the vote to recommend Mr. Gross for reappointment was 4 to 1.
- Mr. Staehly also expressed his concern about reappointing Mr. Gross and noted that the two of the four Commissioners who voted to recommend his reappointment are new members and, consequently, unfamiliar with Mr. Gross and the other two Commissioners generally participate in meetings via tele-conference.
- Mr. Moreau commented that appointing close familial members to the same Boards/Commissions or interacting Boards/Commissions gives the appearance of impropriety. He also expressed his concern about paying stipends to the "volunteers" on the Ambulance Association and the Board of Education awarding a \$5,000.00 pay increase to the Superintendent of Schools. Mr. Moreau stated that, especially during this time of significant budget constraints and declining school enrollment, the appearance of entrenched entitlement in the Town's departments, Boards, Commissions, and Volunteer organizations is discouraging to many residents.

Ms. Link advised that, during her time on the Board of Finance, it was shown that stipends reduced the Town's mutual aid expense. Mr. Lyman noted that, while there is some discussion at the state level, regarding eliminating the restriction on Town's reducing their Boards of Education's budget from one-year to the next, that requirement is still currently in place.

- Mr. Randy Dill commented that he understands that the Board of Selectmen do not set the Board of Education's budget; however, he noted that they do have a bully-pulpit and he hoped they would use it to set a tone to constrain the Board of Education from unreasonable increases in their budget.

Ms. Link acknowledged same and stated that she feels the time to set such a tone would be at the January 8th Tri-Board meeting.

- Mr. Staehly recommended the Selectmen review the 2008-09 Annual Report. He noted that the Superintendent at that time provided a detailed break-down of how the Board of Education's funding was spent. He felt that Superintendent Reas could do a much better job reporting back to the Town residents than he had done in the current Annual Report.

- In response to a question raised by Mr. Brownell, Mr. Lyman advised that he was familiar with the letter from the River COG related to CT Department of Transportation funding; however, he had not yet had a chance to study the information provided in the letter. Mr. Brownell stated that he hoped the Selectmen would discuss the issue at their next regular meeting.
- In response to a question raised by Mr. Brownell, Mr. Lyman stated that it would be up to the Transfer Station Committee as to how much the Land Use Administrator would be involved in the Transfer Station's Committee work.

10. Selectmen's Discussion

In response to Mr. Smith's concern about the performance of the Agriculture Commission's Chairman, Mr. Lyman advised that he is researching the issue. He noted that the Commission has met the minimum requirement for meetings; however, he is not totally comfortable with what he has found and intends to attend future meeting to the extent possible.

There was a general discussion regarding the new tax assessments.

11. Adjournment: There being no additional regular business to discuss, a motion was made by Mr. Lyman, seconded by Ms. Link, to adjourn the meeting at 7:59 p.m. Unanimous aye.

Recorded

Respectfully submitted,
Susan Link, Secretary