

**Board of Selectman
Meeting Minutes
January 26, 2012**

Attendees:

First Selectman Clay Cope
Chris Jellen, Selectman

Andrea O'Connor, Selectman

First Selectman Clay Cope called the meeting to order at 7:05 p.m. at Mallory Town Hall.

I. Approval of Minutes

Selectman O'Connor states she reviewed the minutes from the December 22, 2011 B.O.S. meeting and moved that the board receive the minutes. Selectman Jellen seconds the motion, all approve. A copy of the minutes will be made for the minute book, and Selectman O'Connor will make sure Ruth Byrnes receives it.

II. Correspondence

First Selectman Clay Cope relays the following items of correspondence:

- A. A letter from Phillip Knapp dated Nov. 28, 2011 regarding criminal trespass and cutting of trees on his property by a neighbor. He would like some type of action to stop this activity.
- B. A letter from Ernie Krubsak regarding criteria for CT constables.
- C. A letter from John Jenner to First Selectman Clay Cope offering support. Mr. Jenner enclosed a copy of a Nov. 2011 NY Times Article on senior housing with his letter.
- D. A letter dated Jan. 4, 2012 from the State of CT, O.P.M. stating that the Governor awarded a \$150,000 STEAP grant for the reconstruction of a portion of Spring Lake Road.
- E. A second letter dated Jan. 4, 2012 from the O.P.M. wherein three STEAP grants were denied (the feasibility study for the senior housing complex, the playhouse bathroom improvements, and the tennis court upgrade). The State of CT has a cap of \$20 million to distribute statewide with STEAP grants, and 61 projects in the state received funding.
- F. Law Offices of Sullivan, Schoen, Campana & Connon LLC – a bill, First Selectman Cope asks Selectman O'Connor to come take a look at the letter, to make sure it is OK to her.
- G. A notice of a legislative committee meeting on Feb. 9th.
- H. Retirement plan news
- I. Latest Iriquois report

- J. Letter from Murtha & Cullina, LLP – expressing congratulations and support to First Selectman Cope.
- K. Letter from Northwest Regional Mental Health Board – expressing congratulations to First Selectman Cope and providing contact information.
- L. State of CT D.O.T. letter to Selectman O'Connor dated Dec. 22, 2011 regarding a project to revise and install traffic control signals in town. First Selectman Cope says local agencies and local work to be coordinated with these efforts.
- M. An email from David Hopkins regarding a committee to improve the fire department communication system, includes a description of the situation, and if financially feasible would like to get a consultant to make a recommendation to the town on how to proceed. First Selectman Cope plans to meet with David, will bring back to B.O.S. in Feb.
- N. Community action annual report will be in the folder.
- O. Updated Risk Management Guide will also be available.

III. Public Comment

- A. Stuart Arbeit of Hardscrabble Road feels the town did not do enough with public utilities during the two bad storms in the past year. He notes that ATT allowed the boxes to go down, leaving the town without landlines for 24 hours. He would like action by the town to make sure we do not lose service this way, especially since there is no cell service in town. He also opines that CLP needs to be put on notice that they need to do more.
- B. Ann Smith Chiaramonte of 102 Rt. 37 South addresses the issue of Sherman's lack of electronically available tax records, especially the Assessor's records. She feels it would be beneficial for the town and taxpayers to access this information electronically. Attorneys, real estate agents and others need this information on a daily basis for contractual obligations. It is burdensome for people to physically come to town hall during specified hours when the Assessor's office is open. She notes that companies (including a company called Vision Government Solutions in MA) focus on the needs of local governments and offer extensive software options. She believes electronic retrieval would reduce the number of taxpayers who challenge tax bills, ensure accuracy of reevaluations, reduce the cost to the town for printing files, and minimize use of town printers, paper, etc. She would like for the B.O.S. to meet with one of these companies, and she handed information packets to all three selectmen with vendor contact information.

IV. Old Business

- A. Progress report on Town Projects
 - 1. Firehouse Project: First Selectman Cope notes that the two weeks over the holidays prevented much work from being done. Deppco duct work and CT boiler and electrical company have been working since Jan. 2. The main priority is

getting the entire building heated, so the contractors can get in and finish the work. First Selectman Cope meets weekly on Friday mornings, and hopefully the March 31st completion date will materialize.

2. Library expansion project: Karen Cushnie, President of the Library Board, reported on the building status. Plans are with Enfield Builders, and Civil Engineers plans are being completed. There have been changes since 1st project bids went out. Elimination of 2300 sq ft of the building. Change from geothermal heating plan to a VRF volume system (eliminates need for drilling wells). Elimination of path from parking to barn, shorter retaining wall in rear foundation. Looking at a change in asphalt variety. Next step will be Enfield builders to present a schematic budget week of Feb. 20th. Millie Loeb, Director of the Library, notes she has been working with architect Bruce Tuttle, to finalize the floor plan, which will be presented to the state.
3. Spring Lake Road paving project: Land Use Enforcement Officer Ron Cooper notes problems with the contractor on the project. The town has formally expressed concern about the quality of the work. Some areas of the road do not comply with 2 inch thickness requirements, and width varies from 19 feet to 20 feet. He proposes that town hire a surveyor of the entire road. An engineer recommends 15-20 core samples per day (2-3 days of work), which will show asphalt thickness and reveal how extensive the problem is, as this is not visible when inspecting only the edges of the road. There are a total of 3,100 tons tickets. Assuming 2 inch thick and 19 feet wide, 3,020 tickets would be required, which indicates the installed approximate amount of tonnage was correct, but suspect that uniform thickness was not installed. First Selectman Cope is crafting a letter to NGR. Ron Cooper opines it would be best to wait for the frost to clear to identify areas where the samples should be taken.
4. Town Garage equipment incl. New F550 truck: First Selectman Cope notes that the truck was delivered, and it is in use.
5. Update on newly installed gas tanks: Ron Cooper met with contractors, and determined a permit is not required. He visited the site to ensure proper procedures were being followed and to see if there were leaks in the tanks. The tanks had not failed, there was no contaminated soil, backfilled that evening, concrete slab, stairs, and tanks have been installed. If no additional problems, the pumps should be operational by the end of next week.
6. Fox run detention basis: Ron Cooper mentions there was an extensive delay in starting the project. Selectman O'Connor had been in contact with the DEEP. After a STEAP award is granted, the State appoints an agency to oversee the project. The person assigned to this project by the DEEP has since retired, and Chuck Lee is now overseeing the project. First Selectman Cope is investigating who to use as an engineer on the project, and if modifications are going to be required. The new engineer will have to work with Chuck Lee re: State Flood management certificate, to make sure people are not impacted upstream and downstream. Bids need to be obtained, and the ideal time to work on this project will be this summer.

B. Frank Spaziani compensation discussion: First Selectman Cope inquires as to how the pay schedule was developed, and asks for guidance. He inquires if there was an hourly rate, and how the compensation went from \$200 to \$1,450, noting former Selectman Hayes previously raised this question. Selectman O'Connor explains the evolution of Frank's position. She notes that when she started as First Selectman, there was no 'go-to' person when repairs needed to be made, as public works does not function on that level. The B.O.S. put out a request for proposals for people to be the 'go to' person, and Frank Spaziani was the individual selected. Over time, the position grew, and Frank became more involved with town buildings and the school as well, on call 24/7. Andrea reached out to other towns, to assess the going rate for this sort of Facilities Manager position. On the low end, the rate was \$50,000, which would cost the town \$25,000 if split 50/50 with the school. This compensation would have to work through the existing budget, for January through June, which would work out to \$12,500 or \$2,083 dollars per month. \$250 per month was already in the budget for the 24/7 on call, leaving a balance of \$1,833 to be made up. Andrea saw available money in the maintenance line of the budget to come up with this money, and ultimately dropped it to \$7,500 for the 6 month period, which worked out to a figure of \$1,250 plus 250, a total of \$1,500 per month.

C. Facilities Manager job description discussion: Ruth sent the job description to Selectman O'Connor and Selectman Jellen electronically. First Selectman Cope would like to see an even better job description. Selectman O'Connor mentions the school is interested in moving forward with this position, and she will keep the school informed about this. First Selectman Cope met with the Superintendent and Board of Ed Chairman to review the scope of work, number of buildings we have, and building size. First Selectman Cope questions whether this should be one person, and whether to include Park and Rec facilities as part of this, and this issue will be discussed further at the February B.O.S. meeting.

D. Consider and act on revised library agreement: First Selectman Cope met with Library Board officers and Town Attorney Jeff Sienkiewicz, regarding what can be done to make the agreement work. Paperwork regarding this just came in today, and First Selectman Cope emailed it to Selectman Jellen, printed out hard copies, and would like to continue this discussion at the February B.O.S. meeting.

E. Discuss lease agreement with the Sherman Players for the use of the Sherman Playhouse: First Selectman Cope reads a letter from Town Attorney Jeff Sienkiewicz to Andrea O'Connor, regarding a proposed lease with the Sherman Players. Selectman O'Connor notes the lease agreement will require final approval by a Town Meeting. Selectman O'Connor states the idea for a lease stems from concern that there is no liability coverage on the part of the players, so the town was exposed for injuries to cast, performers, patrons, etc. and this needed to be rectified. Selectman O'Connor spoke with John Taylor regarding what the town is responsible for paying for, and what

the players pay for. An issue that came up along the way was the electrical box that serves both the playhouse and the scout house. Since the playhouse is not used in the winter, the players were looking for some compensation for electrical bills during that time period. It would be impossible to assess electric responsibility on a show-by-show basis, so from Nov. to May, the town will compensate the players for the cost of the electric. That was the only question that was raised about the lease. John Taylor, President of the Sherman Players, comments that historically, the scout house used to be part of the theatre. The theatre will pay electric half of the year, town the other half of the year. Selectman O'Connor moves that the playhouse lease be presented to a Town Meeting for approval, if the Selectmen are comfortable with the lease, although it is not an urgent issue. Selectman Jellen seconds, First Selectman Cope approves.

V. New Business

A. Approve tax refunds – \$47.60 to Pat Werme for a car. Selectman O'Connor moves to approve, Selectman Jellen seconds, First Selectman Cope approves. All in favor.

B. Park and Rec request for legal fee reimbursement – John Wren seeks reimbursement of attorney fees of \$330.00. Selectman O'Connor does not think taxpayers should pay this. However, if Park and Rec pays out of their checking account, she would not object. Selectman Jellen agrees that it is not the burden of the taxpayer to cover these fees, and moves to deny the request for reimbursement, Selectman O'Connor seconds, First Selectman Cope approves. All in favor.

C. Driveway ordinance and LUEO role – Under the former administration, Ron Cooper was the designee for the ordinance of driveways intersecting town roads. He would like something in writing that he should continue to provide these services, and that he be appointed as the designee for these services. He questions if he is only the designee to accept the application, but not to act in issuing the permit and making sure there is compliance. Selectman O'Connor moves that the board designate the Land Use Enforcement Officer for the implementation of the driveway ordinance, and that the amendment of the ordinance be moved to a Town Meeting. Selectman Jellen seconds, First Selectman Cope agrees. All in favor.

D. STEAP applications – First Selectman Cope notes a 25% success rate with the last round of STEAP applications. The Selectmen discuss surprise over the denial of the STEAP grant for the playhouse, and Selectman O'Connor agrees with First Selectman Cope that this grant should be pursued again. First Selectman Cope proposes drafting a STEAP for a new ambulance, as it relates directly to public health and safety and it would be very hard for the town to buy an ambulance otherwise. Selectman O'Connor suggests making sure it would be an acceptable STEAP project. A third STEAP project suggested by First Selectman Cope is repairs to the red brick portion of the library, and Selectman O'Connor has no problem with pursuing a STEAP grant for the library. She notes that higher dollar value STEAPS are favored with STEAP grants. First Selectman

Cope mentions he will have more information on these three STEAP grants for consideration at the next B.O.S. meeting.

E. 2012-2013 Budget discussion – First Selectman Cope notes that slowly and surely budgets are coming in from all departments. Selectmen O'Connor says there have been extensive discussions over the years regarding the Library Association and The Fire Department. She notes audits were discussed, and it got down to requesting a 990 that each has to fill out. Put out a bid for auditors, to find out what would they would charge to review a 990 form for each of these organizations. Sandra Wellwood was the auditor on site – an alternative is simply reviewing the financial statements, which would be cheaper than reviewing 990s. Sandra Wellwood would be happy to meet with the B.O.S. as to what a review entails. Selectman O'Connor thinks this should be pursued, costs the organizations nothing to produce, and is a lower cost than contemplated and budgeted for. Selectman O'Connor recommends contacting the auditor, and meeting with her down the line, and including in the budget requests that these two organizations include their financial statements. Selectman Jellen says it sounds right, as does First Selectmen Cope.

VI. Selectman's Comments

In the future, Selectman O'Connor would like Donnie (Brokowski) to opt for Sherman residents as subs for plowing, rather than individuals from New Milford.

Selectman O'Connor questioned the charge to the general government for Laura Pettinato's paycheck listed under First Selectman's assistant. First Selectman Cope explained that the payment came out of Ruth's line, and that is the way the budget had been developed. In some cases Laura has helped with Ruth's duties, and other days she acts as a First Selectman's Assistant. Laura has also been brought in for help with some additional things, just as Liz was brought in for accounts payable, but this is not a new position.

Selectmen O'Connor was copied on an email that Kevin Keenan sent to the Public Works Advisory Committee, and is curious about First Selectman Cope's intentions about this committee. Selectman O'Connor notes the B.O.S created this committee. First Selectman Cope has this on the February agenda, and wants to get a better idea of how that committee can be useful.

Selectman O'Connor inquires about the purchase of a new microwave for Town Hall. First Selectman Cope explains that the old microwave died, and he purchased a new one at Costco for \$99.00. Selectman O'Connor feels the cost of painting the First Selectman's office was high at \$1,450. First Selectman Cope states the office needed to be painted due to mice holes and leaks. He is developing a plan to go around each room in Town Hall to assess what needs to be updated and cleaned. Selectman O'Connor suggests that further painting projects in Town Hall should go out for bids.

Selectman Jellen comments that with the budget being so tight, the B.O.S. need to be careful with spending and keep close tabs on the money being spent.

Selectman Jellen inquires how First Selectman Cope would like to receive requests for items to be added to future agendas, and First Selectman Cope expresses a preference for email.

First Selectman Cope comments that he would also like to use local qualified plow people, and he is putting together a pool of resumes to draw from.

VII. Public Comment

Carol Havens wants to make sure the playhouse lease does not include the scout house.

Veronica Scheer asks for clarification on the firehouse heating. First Selectman Cope explains that the priority is getting the heat on, and the expectation is that heat will be ready soon. First Selectman Cope also advises that a schedule with MERIT is up on the wall in Town Hall, and progress with them is checked weekly. He notes that once the heat is on, the project will move faster.

Art von Plachecki feels that Selectman O'Connor's comments about the \$1,400 spent to make an appropriate working environment via painting the First Selectman's office are inappropriate, as Selectman O'Connor purchased an expensive desk for herself when she took office. Selectman O'Connor clarifies that she commented about the painting expense, because she feels that any further painting in Town Hall should go out for bid.

Richard Lennihan asked for clarification of the 25% success rate for STEAP grants. First Selectman Cope explains that the town submitted 4 applications and 1 was approved, and notes that future STEAP applications will be exceptionally comprehensive.

VIII. Adjournment

First Selectman Cope moves to adjourn the Board of Selectmen Meeting at 8:20 PM, with Selectmen seconding and all voting in favor.

Respectfully Submitted,
Laura Pettinato, Clerk

Clay Cope

Chris Jellen

Andrea O'Connor