



**Town of Sherman
Board of Selectmen Meeting
Mallory Town Hall
Thursday, February 28, 2013**

Attendees:

Clay Cope, First Selectman Andrea O'Connor, Selectman Chris Jellen, Selectman
Carol Havens Kathy Retter Michele Battaglia George Linkletter Eric Holub
Matt Heinz Donald Borkowski Gary Albert Frank Spaziani John O'Connor
Jeff Sienkiewicz Paul Hiro Charlie Reppenhagen Stephen Roffwarg Marge Josephson
Rick Hudson Liz LaVia Rich Lenihan James Trish Viola
David Hopkins 8 additional townspeople were also in attendance.

Call to Order:

Meeting is called to order by First Selectmen Cope at 7:00pm, conference room Mallory Town Hall.

Pledge of Allegiance:

Led by First Selectman Cope at 7:00pm, conference room Mallory Town Hall.

I. Approval of Minutes:

- Board of Selectman Regular Meeting, January 24, 2013: Selectman Jellen moves to approve. Selectman O'Connor seconds; all in favor.
- Board of Selectman Special Meeting, February 15, 2013: Selectman Jellen moves to approve. Selectman O'Connor seconds; all in favor.
- * **Selectman O'Connor moves to add an additional item to the agenda under new business regarding appointing Tabitha Fazzone as clerk for the Board of Selectman and the Land Acquisition Fund Advisory Board. Selectman Jellen seconds. All in favor. It has been added to VII (i).**

II. Correspondence:

- **The following correspondences was share by First Selectman Cope:**
 1. CIRMA annual report is available for review.
 2. Letter from Truck Drivers and Helpers Local Union #67. Informing the Town that contract negotiations will be take place when the current contract expires June 30, 2013.
 3. Letter dated February 22, 2013, we received it on the 27th requesting information regarding some teamsters regarding the deleted files. Questions have been highlighted for each individual to answer, including Mrs. Ackerman, Mr. Cooper, Selectmen O'Connor and Jellen and First Selectman Cope. All individuals have been given copies of those questions.

4. Letter from Aquarion dated February 26th informing the Town of a request for increase of 16.8% for their customers and includes a letter addressed to PURA.
5. Connecticut Health Foundation the impact of increase dental reimbursement rates, HUSKY.
6. Letter dated February 6th from Town Attorney Jeff Sienkiewicz regarding the Million Dollar General Obligation Bond.
7. Letter from CLA dated February 12th regarding audit of the CLA.

III. Public Comment:

- First Selectman Cope invites public comment
- Rick Hudson submitted both verbally and written the following:
 - I'd like to follow up on the comments made and the discussion held last month about the alleged destruction of data on the Planning and Zoning computers, and allegations of that destruction being in violation of the law and possibly felonies. Names were named in those allegations and the employees union has become involved in a bitter fight to defend the accused. I understand that our computer support company has verified to a certainty that the files in question were in fact, not deleted from the computers and that the charges are in fact baseless. I heard an apology from the first Selectman to the employees, and I remember him stating that both Mrs. O'Connor and Mrs. Ackerman were expected to make public apologies, also. It is my understanding the union requires those apologies to effect a settlement of the grievance. If all this be correct, I'd like to ask both Mrs. O'Connor and Mrs. Ackerman, "Have you written your required public apologies to the aggrieved union members yet?" Speaking to them both this afternoon I was told that neither has received an apology, and I want to know why not.*
 - Selectman Jellen was not asked to give an apology and does not believe an apology is appropriate.
 - Selectman O'Connor states that she made comment to this in the previous Selectman meeting. She restates that she does not deem an apology is necessary.
 - Mrs. Ackerman was not present to make comment.
- Marge Josephson:
 - First: Concerned about town bond rating having a negative bias as reported in the press.
 - * Treasurer Holub will discuss this later in Old Business VI (e).
 - Second: Concerned about the amount of sand used on the roads. It seems that the same amount is used whether it's a large or small snowfall. Is there something to do with the excess sand in the interim as on dry days it blows around becoming run off effecting lawns, etc.
 - Third: Senior housing regarding a lease and zoning regulations. First Selectman Cope states this topic will be discussed later in VI (c).

IV. Old Business:

a. Progress Report on Town Projects:

1. Emergency Services Facility project:
 - ❖ Will be attending a meeting tomorrow morning (March 1, 2013) with Dean Petricelli. Allstate is still giving a completion date of March 8th. DEPCO will be attending the meeting also. They state they are substantially complete.
 - ❖ Selectman O'Connor stated that the minutes from the last Selectman's meeting reflect that she had asked about jobs that had been taken on by the town, as they are our

responsibilities and that First Selectman Cope would have a list of the updated items and the estimated costs a week after the meeting. She states that the Selectmen have not received this as of yet.

- ❖ First Selectman Cope stated that it was not completed but would discuss and work on that with Dean during the meeting tomorrow.
- ❖ Selectman O'Connor stated that she would not be able to attend the meeting tomorrow morning due to a conflict.
- ❖ Selectman O'Connor recalls John Tuz cautioned the Town on the need to find and identify the people who would be responsible for the maintenance in the building. They need to be trained on the systems before the workers go away.
- ❖ First Selectman Cope stated that they had discussed this in their last meeting. That he and Dean had decided that for the short term they will be training Frank Spaziani because he is our local maintenance person.
- ❖ Selectman Jellen stated that in the last meeting it was indicated that the water system still needing chlorination, emptying, refilling and testing, then submitting to the state. The building inspector indicated that he could not even issue a TCO without that paperwork from the state.
- ❖ First Selectman Cope stated that he hoped so. Foley's was here yesterday to do the first round of chlorination but there was a problem with one of the valves, it burst.
- ❖ First Selectman Cope stated that they are coming back. He is meeting with the plumber, Frank and Tim Simpkins to go over the plan tomorrow after the morning meeting.
- ❖ Mr. Spaziani spoke to this circumstance. He stated that there was a problem with a plugged filter and water leakage so they were not able to continue with the chlorination. The cartridges need to be in place so they can continue to do the first round chlorination. He also stated Foley would be back tomorrow and that they were meeting with Tim to revisit the chlorination.
- ❖ Selectman O'Connor asked where the chlorinated water would go. First Selectman Cope stated that was to be part of the discussion tomorrow. Looks like we might need to have it tanked out.
- ❖ Selectman Jellen stated that the owner of Enfield indicated that last week it would be prudent for us to have a completed punch list from the architectural firm so there would not be any potential problems of damage after the firemen move in and then there be questions as to who was responsible for it.
- ❖ First Selectman Cope stated that he has asked Dean for that but was told it wasn't time for that. However, First Selectman Cope spoke to Glen Kiefer and they would both like that list. That the list would be a comprehensive list including lists from John Tuz, Firehouse, Ron Cooper and any other lists.
- ❖ Selectman Jellen stated that it's a lot to get accomplished in a week. First Selectman Cope stated that he did not say they would have it in a week only that he could ask for it.
- ❖ Trish Viola speaking on behalf of Land Use, Health, Zoning and Building; stated that it could take numerous times to chlorinate that water. It could be a good month or two months before the state comes down. There is a major list in Zoning that needs to be done and signed off on before Bill Jenks can issue any kind of temporary certificate of occupancy.

- ❖ Mrs. Viola also stated that we were promised by the builder that the Building Department was going to receive all the records for the firehouse on a dvd or avf file. We need all that information.

2. Sherman Library expansion project:

- ❖ First Selectman Cope reads a note from Mason Lord. The Library continues to proceed on time and on budget. The addition framing is 90% complete. Roofing has started on the old library and the addition. The barn framing will commence by mid March, as well as the electrical.
- ❖ First Selectman Cope asked Selectman Jellen if he attend the meeting this week.
- ❖ Selectman Jellen stated yes he had and that they are pleased with the progress. Everything is on time and under budget.

b. Public Safety Communications update:

- David Hopkins stated that they were pleased with progress too.
- Mr. Hopkins stated that the finished reports from RCC Consults and a presentation described in the contents are available on the town website, the fire department website, as well as for reading at the Town Clerk's and First Selectman's offices. These articles were also published in full in the Sherman Sentinel, and in summary in the Citizen News with references to the websites.
- The Public Information Session has been scheduled for 10:00am Saturday, March 16, 2013 at the Old Town Hall. The report will be discussed and possible further steps to be taken, as well as possible scheduling of presentations for organizations in town.
- Syd Head has taken the lead on the proposal for the Board of Selectman regarding the use of the 2 licenses the fire department has, as referenced in the last meeting, and should have this ready for the next BOS meeting.
- Monty Clark has started working with local commissions on the regulations concerning communication facilities, primarily Planning and Zoning at this time. Some of these regulations may be out of date in view of recent technologies.
- Town Attorney Jeff Sienkiewicz reports, after consultation with the State Attorney General's Office, if the project is confined to public safety communications then the Siting Council has no jurisdiction over the project whether it's on public or private land.
- Mr. Sienkiewicz states if it is your project, with no telecommunications by commercial carriers then you do not have to go to the Siting Council.
- This suggests the approach of doing the project then entertaining whether cell phone companies may be interested to participate, in which case they would have to go to Siting Council for approval for an existing structure.
- Grant monies are being pursued at this time to cover any or all cost with regards to this project. So far the returns have been meager but the investigation continues.

c. Housing Commission Update:

- First Selectman Cope stated that Iroquois has provided an option 6 map that they are in favor of.
- First Selectman Cope reads into the record an email from Fran Frattini, Parks and Rec, based on what I have previously told you I think this option 6 covers which properties should be the dedicated open space that is the Murphy Tract, Colonial Park only.

- Paul Hiro stated that there is a February 19th revision of map option 6. He presents this map to the board with each Selectman receiving a copy. Revisions to include the zone line and note #1 is fixed with regards to the Town of Sherman instead of City of Danbury.
- Stephen Roffwarg from the Sherman Housing Commission, as a result of Iroquois approving map revision option 6 a declaration of covenants and restrictions was written by our town counsel. Tonight the Sherman Housing Commission ask that this document be voted upon and approved by the Board and filed in Town Clerks office along with a map created by Paul Hiro.
- Mr. Roffwarg stated that this approval will enable the SHC to move forward with its intention of bringing affordable senior housing to Sherman.
- Mr. Roffwarg answers Mrs. Josephson earlier question about a lease. He states that SHC can't solicit predevelopment funds without site control, which means a lease. SHC and P&Z will be meeting to determine zoning. Once SHC has site control, which they hope to receive at the at the May 11th referendum, they will be able to start to ask the state for predevelopment monies.
- Selectman O'Connor commented on the drafted declaration of covenants and restrictions. She added that her understanding from Mrs. Frattini, that the warning for the town meeting at which this conservation easement was granted to Iroquois but never formalized in the Town records, included both the Alan's Camp property and Murphy property, but the Town voted in the meeting for that easement to be confined to the Colonial Field property. Mrs. O'Connor states that she has not been able to review to verify that in the Town's Land Records. Mrs. O'Connor suggests that in the spirit of that meeting the reference to the Tordik (Allen's Camp) property be removed from the declaration.
- Mr. Sienkiewicz stated that the map shows that the Tordik property is shown to be included. The deed for the Tordik property is for 11 acres defined as northerly by the Town of Sherman and Murphy, easterly by CT Light and Power (Candlewood Lake), southerly by Sanford and westerly by Cedar Lane and Murphy.
- Mr. Hiro added that it was 26 acres plus the 11 acres (whole right side of map 6, from stone wall to stone wall) for a total of 36 acres. The 11 acres were shown on the original map that was found. Mr. Hiro stated that this map, option 6 rev, most resembles the original intent and map.
- Selectman O'Connor stands corrected and moves to accept the latest option for this easement to formalize the declaration of covenants and restrictions, authorizing the First Selectman to sign on behalf of the town and file it on the land records. Selectman Jellen seconds; all in favor.
- Mr. Sienkiewicz wants Iroquois to review the declaration of covenants and restrictions.
- Mr. Hiro stated that he would wait until he hears from the Town before creating the mylar which will go along with the deed for filing.
- Mr. Sienkiewicz stated that the land for the potential senior housing needs to be identified from a legal stand point. Then the BOS just dedicate the property, that does not need to go to Town meeting. Need to identify, with a deed, to authorize a long term land lease for a third party for that property. Once leased to a third party it will need to go to a Town meeting.
- Mr. Holub believes it to be better to get approval at the Town meeting first and then it can go back to Town meeting for finalization. He is worried about causing too much angst, etc.
- Mr. Sienkiewicz stated the next step is to identify the site. Then get a second map identifying the site from Mr. Hiro. He says that he could draft a resolution for the next Town meeting.
- Mr. Hiro says that the zone line may need to be considered.
- Selectman O'Connor stated that we need to get the easement approved then move forward with getting the site identified for the senior housing.

- First Selectman Cope asked Steve Roffwarg if there was going to be a special meeting or is it going to be held at their regular meeting. They will be at the regular meeting on March 7th for an initial talk. They realize they need a 501c3, but until they receive a lease approval from the Town it doesn't pay to spend the money until they get that. Just wants to get the easement approved tonight and then get with Mr. Sienkiewicz for the correct wording and identifying the property.
- First Selectman Cope reminds the Housing Commission that there is only \$3200 left of the special appropriation for exploration of this site.
- Mr. Sienkiewicz asked if this is targeted for a Town Meeting in May. First Selectman Cope states he keeps hearing Town Meeting but thought it was a referendum, but yes May 11th.
- Mr. Holub asked if it could be presented as a non binding vote on the referendum. Mr. Sienkiewicz stated that the area needs to be identified then he can write something up for the referendum.

d. Town Computer Policy Draft:

- First Selectman Cope moves to approve this policy.
- Selectman Jellen suggested that before they adopt this, that the Board meet with the IT person to discuss this policy first.
- First Selectman Cope stated that it has been run by David and Tony at Network Support and they have approved it.
- Selectman Jellen stated that he meant to meet with the person onsite that handles the IT and discuss her role as the onsite IT person for the Town Hall.
- First Selectman Cope will set up a meeting with Kathy Retter and the selectmen.
- The discussion will be tabled until the March meeting.
- First Selectman Cope wanted to state that all employees and commission chairs have signed the records retention and deletion form.

e. Outcome of Moody's rating conference and bond auction:

- First Selectman Cope invited Town Treasurer Eric Holub to the table for this discussion.
- Selectman O'Connor asked if we could hear this from the First Selectman and asks if he was there.
- First Selectman Cope stated that he was there and would like to read the letter from Moody's into record:

Dear Mr. Cope:

We wish to inform you that on February 12, 2013, Moody's Investors Service reviewed and assigned a rating of Aa2 to Town of Sherman, General Obligation Bonds, Issue of 2013.

In order for us to maintain the currency of our ratings, we request that you provide ongoing disclosure of current financial and statistical information.

Moody's will monitor this rating and reserves the right, at its sole discretion, to revise or withdraw this rating at any time in the future.

The rating, as well as any revisions or withdrawals thereof, will be publicly disseminated by Moody's through normal print and electronic media and in response to verbal requests to Moody's Rating Desk.

In accordance with our usual policy, assigned ratings are subject to revision or withdrawal by Moody's at any time, without notice, in the sole discretion of Moody's. For the most current rating, please visit www.moody's.com.

Should you have any questions regarding the above, please do not hesitate to contact me or the analyst assigned to this transaction, Thomas Compton at 617-371-2939.

Sincerely,

M. Geordie Thompson

VP-SR Credit Officer/Manager

- Treasurer Holub submitted packet to the Selectmen with his summary and the documents from Moody's.
- Mr. Holub stated that the meeting was held on a conference call on February 6, 2013 with Moody's .
- Moody's did affirm the Town's AA2 rating, but with a negative outlook.
- State median general fund is 12% and ours is 6.4%, half the median. National median is 30%.
- Mr. Holub stated that we set the fund balance policy we look at it with a budgetary basis and Moody's looks at with a gap basis. The big difference is that we get credited about 6 to 700,000 of on behalf payment from the state teacher retirement account. This is allocated to the Town and counts toward our revenue which takes us from a 6.8% budgetary to a 6.4% on a gap basis.
- The difference from 6.8% and 7% floor is \$24,000, but difference between 6.4% to 12% is something along the lines of \$738,000, this is substantially higher.
- AA2 rating is Kent, Sharon, Salisbury and Sherman. AA1 is New Fairfield, New Milford and Newtown, which is higher.
- The message we got is that our rating will never be higher than a AA2 rating because of our equalized GL is too small. A AA2 rating is what we should try to maintain.
- Credit Analysis, comparable towns are Sherman, Bethany, Cornwall, Kent, Woodbury, Burlington, Salisbury, Litchfield, Sharon and Washington, we scored well. Only Salisbury scored higher than us. Equalized grand list per capita we're in the middle of the pack. We do really well on tax collection rate, we're #1 at 99.2% for current year. Total fund balance as a percentage of general fund revenue we're at 6.4% every other town is over 10%. Examples are given regarding drawn downs from our reserves.
- We need to work to get rid of the negative outlook. Moody's will not keep the outlook if they were to re-rate us.
- Selectman O'Connor stated that last year she raised the question dedicating some of budget to this fund balance issue but said that Mr. Holub did not deem this necessary.
- Mr. Holub stated that he suggested that we were within the spirit of the fund balance policy.
- Selectman O'Connor stated that we were not.
- Mr. Holub stated that last year we were doing the budget in February and we did not have the actual results for the fiscal year. The difference between 6.8% and 7% is \$24,000, he asked Selectman O'Connor if she could call it closer than that.

- Mr. Holub stated that his recommendation this year is to dedicate some of the budget for the fund balance. That way we can demonstrate that we are improving our financial position. That perhaps we dedicate \$100,000 this year to the budget plus whatever surplus appears. He also thinks that it would be wise to accelerate contributions to the defined benefit pension plan (begin to reduce the town's continuing pension obligation.
- There were 2 bidders at the bond sale. Both bids were with a 2% coupons on \$1,000,000. Premium of \$11, 540 at 1.776% for 10 years.

f. Implementation of cell phone policy:

- This is a continuation of previous conversation: Selectman O'Connor wanted to know why a smart phone was bought for the Public Works supervisor since he had a cell phone. What was the reason.
- First Selectman Cope stated that it was for communication basically. It becomes a good phone for when he doesn't have radio communications. That he could have access to email, all the things that a smart phone has. First Selectman Cope believed it to be a smart idea to have a smart phone for the Public Works supervisor, to take advantage of today's technology.
- Selectman O'Connor asked again why the town should be purchasing that and more importantly why does it continue to be in the supervisor's spouse's name.
- Don Borkowski stated that he has used his own cell for the past 10 years and that it was brought to his attention that the Town would provide him with a phone so that he would have better/direct contact with the selectmen.
- Liz LaVia stated that the phone had been changed from the spouse's name to the Town as of three days ago. First Selectman Cope and Selectman O'Connor stated that answered the question.
- Selectman O'Connor stated that making that purchase should have gone to the Board for approval first. She asked if it was an equitable means of addressing the additional costs of this phone. It is twice as much as reimbursement under the policy with someone using their own phone, granted Don had not been reimbursed previously but neither has Mr. Cooper. It seemed an odd expenditure to her.
- First Selectman Cope stated that next time it would go before the board.

g. Commission on Aging terms and expiration dates:

- First Selectman Cope stated that this was tabled. The housekeeping has been done on this subject. All three Commissioners have been renewed from 01/01/13 to 01/01/15.
- First Selectman Cope stated that he and Ruth Byrnes went through the previous minutes and that they stated that they approved the terms for the three commissioners.
- Selectman O'Connor moves to reappoint Lorna Barrett, Jill Finch and Cheryl Hawkins to terms expiring in 01/01/15. However, she does want to go back on the previous minutes because she is not sure that this has been resolved.
- Selectman Jellen seconds; all in favor.

h. Personnel issue with Planning and Zoning department (Executive Session):

- First Selectman Cope moved to move to Executive Session.
- Selectman Jellen seconds; all in favor.
- Moved to Executive Session at 8:06pm, First Selectman's office.

- Session included the Board of Selectman, Michele Battaglia, Kathy Retter and Trish Viola as Union Rep.
- Executive Session was called at 8:24pm.

V. New Business:

a. Job Descriptions:

- Packets were submitted by Trish Viola
 1. Administrative Assistant to the First Selectman: Selectman O'Connor moves to approve the revised job description, Selectman Jellen seconds; all in favor.
 2. Land Use Administrator: Selectman O'Connor moves to approve the new description and title for position, Selectman Jellen seconds; all in favor.
 3. Business Administrator: Selectman O'Connor moves to approve the job description as this position has evolved over the years, Selectman Jellen seconds, all in favor.
 4. Senior Center Coordinator: Selectman O'Connor moves to approve, Selectman Jellen seconds, all in favor.

b. Murphy Tract Logging Proposal:

- First Selectman Cope stated that a letter was submitted last month by Jim Munch for the approval of logging timber from the Murphy tract. He believes that he has since gone to Park and Rec for their approval.
- Mr. Munch met with Parks and Rec because they have jurisdiction over the proposed forested area.
- Mr. Munch walked the property where the timber would be removed from approximately 18 acres with loading off of Sawmill Road.
- The project would be to remove 1/3 of the canopy to allow the existing stand generation to develop. The harvesting would consist of red oak, chestnut oak, black birch and hard maple.
- An appraisal was done at one time for no cost. With this harvest it is believed that the return to the Town could be \$4,000 to \$6,000. Cost/time comes out of the timber so that it is not coming out of a budget.
- Mr. Munch is asking the Board to join the Parks and Rec in their approval for this operation.
- First Selectman Cope asked when this would begin.
- Mr. Munch stated between now and May or else to come back in the fall as timber prices are lower in the summer.
- Selectman Jellen asked if Mr. Munch would be hauling out down by the lake and Mr. Munch stated that he thought that would be the best location. He stated that possibly somewhere near the old Girl Scout fireplace so that it would not interfere with anyone.
- Selectman O'Connor moves to approve. Selectman Jellen seconds.
- Selectman Jellen asked First Selectman Cope if Parks and Rec had included him in this. First Selectman Cope stated that they had.
- Mr. Munch asked whom he should be in contact with this matter, Parks and Rec or the First Selectman. It was determined that Mr. Munch would work with First Selectman Cope.
- Mr. Munch will do a cruise to determine the return to the Town and submit formal documentation.
- Motion on table; All in favor.

c. Tax Refunds:

- Motor Tax Refund for \$1,696.03. Selectman Jellen moves to approve, Selectman O'Connor seconds; all in favor.
- Property Tax Refund for \$5353.88. Selectman Jellen moves to approve, Selectman O'Connell seconds; all in favor.

d. Public Works Equipment:

- Don Borkowski, Supervisor stated that the reason for this item on the agenda is to get approval for dealing with equipment that is no longer of use; i.e. trucks, tanker, a box trailer that is used to store various items in, the roof has caved in, etc. Wants to clean up the area.
- Wants a decision from the BOS as to what we can do to sell it or sell it for scrap, how to go about it.
- First Selectman Cope mentioned that he has spoken with one gentleman that might be interested in the property and that Mr. Borkowski has mentioned a possible online site that purchases used equipment.
- Mr. Borkowski stated that he would need to look into it. The problem being how to get the equipment out and sent to the online site. He will need to look into that further.
- Mr. Borkowski stated that there are two trucks, all vehicles that are out of commission.
- Selectman O'Connor asked if these trucks were the 1980 International Pumper and the 1992 Ford Dump. Mr. Borkowski stated that was correct.
- Selectman O'Connor stated that in the past that they put out an ad and took the best offer. She states that it's better to get the money for it.
- Mr. Borkowski stated that sometimes it is more for scrap than they are to sell it whole.
- Selectman O'Connor moves to approve. First Selectman Cope does not believe we need a motion on this. He believes Mr. Borkowski should just sell it whole or for scrap and that he will work with him in this process.
- First Selectman Cope asked about Don's truck. He will be trading it in for a value between \$1,000 and \$1,500. It was \$5,000 before the transmission failed.
- First Selectman Cope stated that truck 2 shows that it needs replacement, should we put that in our budget.
- Mr. Borkowski wasn't sure if that should go in the budget or in the non-reoccurring. He states that he has been putting in for years for a big dump truck and that we are in dire need for a substantially larger truck. He asks the Town to look into a Fleet Management Program to start saving for some of these trucks that need to be replaced.
- Mr. Borkowski also mentioned that he needs to replace for power equipment for lawn maintenance for Park and Rec/Town. He ask if he put that in his budget or does it go in Park and Rec. Garage doors all need new openers and remotes. Three radios are also needed to be replaced now. Those radios are \$600 a piece and he is asking to be able to replace those.
- Selectman O'Connor asks to run through these items again.
 - To sell items
 - Dump truck 2, replacing that. It is a 1987. Placing it in capital non-reoccurring.
- Mr. Holub stated that there may a way to fit it into the general fund budget with the governor's new budget.

- Mr. Borkowski asked why can't he have a fund set in place to help with this. Mr. Holub stated that each department cannot have a fund and that's why we have a capital non-reoccurring fund.
- Selectman O'Connor stated that each department, such as the Fire House, does ask that funds be set aside for a known expense, and can make its own recommendation for the capital non-recurring fund. She also asked First Selectman Cope about a plan regarding the replacement of Public Works vehicles that he had mentioned in a Town Meeting; is there a plan in place that we haven't seen yet.
- First Selectman Cope stated that the plan is to replace truck 2 and then ultimately truck 3. Selectman O'Connor stated that implied a plan. First Selectman Cope stated that is the plan. They will develop a longer term plan every couple of years.
- Mr. Borkowski stated that he also has a loader that is getting on in age, along with their chipper. Expenses are coming up in his department and wants the BOS to be aware.
- First Selectman Cope also mentioned a sandblaster. Mr. Borkowski stated that it's not first on his list.
- First Selectman Cope asked about the shop generator. Mr. Borkowski stated that Frank Spaziani has more information on that. Mr. Spaziani stated that spending money on the generator located behind the shop would not be prudent. As to the one located in the shop it is also getting very difficult to locate parts for it. His recommendation is to get rid of the one located behind the building then get ready to replace the one located in the shop with a sufficiently sized one.
- Again Selectman O'Connor recapped the Public Works needs. It seems to her that there are three areas of need: for the building, the doors, the openers and the generators; second is for vehicles for replacement; and the third is for equipment that over time is needing to be replaced with the collateral question of whether charged to one department or another; or shared.
- Selectman O'Connor asked if Mr. Borkowski tells the employees where to mow on the machines. He states that he does. Selectman O'Connor stated that it's you guys, your orders, your budget.
- First Selectman Cope stated that this is a lot and is wondering if putting all of these things into his budget is the right thing to do.
- Selectman O'Connor stated that she believes that this is First Selectman Cope's decision and that he should be supplying the guidance to Mr. Borkowski on these items and identify where they need to go. First Selectman Cope stated that he worked with Mr. Borkowski on this list and supports the requests that he is making. Selectman O'Connor asked, when, the coming budget year.
- Mr. Borkowski is asking for radio replacement for the time being. First Selectman Cope asked if he had enough monies in his current budget. Liz LaVia, Business Administrator suggested that the building maintenance line has enough money for this year's budget in it for the garage door openers, since it is a building maintenance. Also, as for the radios she suggest that the balance come out of the radio line and then the balance out of supplies on this year's budget.
- It was discussed that the generator would be put into the building maintenance budget for next year. Then the mower will be discussed during the budget sessions.
- Mrs. LaVia was not clear if it had been approved by the BOS as to whether or not Mr. Borkowski could sell or scrap the unusable vehicles, etc. First Selectman Cope stated that it had and that he would be working with Mr. Borkowski in this matter.

e. Resolution for Emergency Management Performance Grant Application:

- First Selectman Cope stated that we have authorization, that Carol Havens will sign. He read the resolution into record:

AUTHORIZING RESOLUTION OF THE

TOWN OF SHERMAN BOARD OF SELECTMEN

RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security, any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Clay Cope, as First Selectman of Town of Sherman,

is authorized and directed to execute and deliver any and all documents on behalf of the Town of Sherman and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents.

- Selectman O'Connor asked, in December we passed a resolution on Homeland Security Grant Program, is this a different thing. First Selectman Cope confirms this to be a different thing.
- First Selectman Cope asked for a motion to approve, Selectman Jellen so moved, Selectman O'Connor seconds; all in favor.

f. Milfoil/CLA:

- First Selectman Cope stated that he received a phone call from John Hodge, First Selectman of New Fairfield regarding a Milfoil Weevils Study that was performed by Envirosience at \$17,000 to be shared by the towns. New Fairfield has paid \$5,000 into it for its share and would like Sherman to pay its share of \$2,750.
- First Selectman Cope asked Selectman O'Connor for background information on this agreement as he does not have the history regarding this.
- Selectman O'Connor stated that we had received a dividend payback from CIRMA and we agreed to allocate a portion of that money to purchase the weevils, but we did not make an ongoing commitment to purchase the weevils. It was a one shot deal.
- First Selectman Cope asked if we had agreed to pay the \$2,750 and if we had, did we pay it.
- Selectman O'Connor stated that the minutes would need to be reviewed to determine if we agreed to make that payment.
- First Selectman Cope will research further.

g. Town use of Social Media:

- First Selectman Cope stated that Selectman O'Connor asked to add this to agenda.
- Selectman O'Connor had noticed that there were Tweets on the homepage of the Town website and states that the board never discussed using Twitter and is not sure if there is a Facebook page. She further states that in some general reading she has been reviewing other towns

policies regarding social media because it can get out of control. She was just wondering where the decision to use Twitter came from, is there a broader use intended for social media and what role will the BOS play in making these decisions.

- First Selectman Cope stated that the idea came from Al Burgasser during the last big storm to use Twitter to update the townspeople with regards as power outages, progress, etc. The Towns website was not accessible for updating nor did many of the townspeople have access to the internet for those updates, but many had use of their smart phones to access social media for updates on the storm. Also, this could be used to notify townspeople of BOS Meeting, including special meetings in a timely manner.
- Selectman O'Connor stated that she did not read in First Selectman Cope's column any notification that this was an option. She also stated that she believed that this should have come before the Board so that they knew what was happening and that notification to the public should have been made so that they can take advantage of it.
- First Selectman Cope stated that they are working on updating and upgrading the website. There were issues with the administrative assistant's and First Selectman's computers. They were not in sync and that is to be resolved along with a few other changes. He stated that the goal is to better communicate to the public, especially during a crisis. He added that they are developing a Facebook page and would like to see that page linked to other Facebook pages of the town, i.e. Library, Parks and Rec, etc.
- Selectman O'Connor would like this to be placed on the next agenda as a discussion item so that they can be better informed as to; what are the proposed upgrades for the website, what is the plan for the use of social media and what are the boundaries.
- First Selectman Cope stated that he had explained the reason for social media, but will put it on the next agenda and will look into other towns policies regarding social media.
- Selectman O'Connor suggested Nantucket, because that is a town that had issues with social media and they were working on a policy.
- Trish Viola, asked about upgrading the website to include applications, etc. and is our server even big enough to handle this. Liz LaVia added who would be maintaining all of this.
- First Selectman Cope stated that they are looking into this and possibly including in the upgrades. He added that he and the administrative assistant would be maintaining the website, plus Al Burgasser and Tom Joyner are helping with the upgrades.

h. Consider and act on support for proposed legislation (Community Redevelopment & Conservation Act) which would enable towns to surcharge the tax on property conveyances to open space, among other uses (see handout):

- First Selectman Cope, the CRCA would allow municipalities to establish a conveyance tax of up to 1% on buyers of real property on the sale amount over \$150,000 for use in alternative transportation infrastructure, brownfield remediation, clean air projects, energy conservation, green building retrofits, historic preservation, water treatment/storm sewers and working lands/open space. He stated that this had been suggested by Selectman O'Connor, particularly towards open space. A handout was provided.
- Selectman O'Connor stated that she is the chairman of the Land Acquisition Fund Advisory Board (LAFAB). Over the years many people have wondered why CT doesn't , allow a surcharge on a conveyance tax when a house is sold as Nantucket and generally Massachusetts does, taking a portion of that and putting the funds aside into a bank for the purchase of open space.

It is simply a proposal for enabling legislation so that towns would be permitted to consider using this. It is a difficult sell, but CRCA reached out to her to present this to LAFAB as well as the BOS and to get them to sign onto this legislation in support of it.

- First Selectman Cope stated that he is not in favor of anything that would bring new tax especially in this economy. This would affect the elderly who may be trying to sell their because they cannot afford it. He stated that he received a letter from a local real estate agent who is quite concerned about this. There is already a 1% sales tax with a 1/4% to the town and 3/4% to the state. He stated that he personally is not in favor of condoning the CRCA.
- Selectman Jellen stated that he was on the other side of the fence. He thinks that it would be important for the BOS to support this legislation; to get it passed.
- Carol Havens stated that we are collecting 1/4% conveyance tax, the state is taking 1/2-1% which is supposed to be going toward open space and what not. Now you want to hit them with another 1%, it's just wrong. Mrs. Havens stated that if we are collecting \$700 now, then your adding this surcharge for another \$2800, you can't bleed people dry.
- Marge Josephson suggests that we only put it on a house that sells for a 1,000,000 or more.
- Mr. Holub asked that if an elderly person need to sell their house or perhaps someone dies and wants to convey their house to their children that the town would get up to 1% from that transaction. He asked if Selectman O'Connor and Selectman Jellen support this tax.
- Selectman O'Connor stated that she is only asking for the BOS to support this proposal to enable the legislation and if it should pass in the state, then it would go to vote for the town to decide.
- Selectman O'Connor moves that the BOS sign on to support this proposed legislation. Selectman Jellen seconds; all in favor - 2, Selectmen O'Connor and Jellen: all opposed - 1, First Selectman Cope.

i. Appointment of Tabitha Fazzone as clerk to Board of Selectman and Land Acquisition Fund Advisory Board:

- First Selectman O'Connor moves to approve, Selectman Jellen seconds; all in favor.

VI. General Discussion:

- Selectman O'Connor has issue with the agenda making, with regards to the Freedom of Information Act, it seems that the agendas are not put out in a timely manner.
- First Selectman Cope stated that Selectman O'Connor had, herself, just added to the agenda today and that they made the changes and posted them as soon as possible.
- Selectman O'Connor also believes that items that were on a previous agenda and tabled or brought up at a previous meeting have not been making it onto the current agendas. She feels that items are slipping through the cracks. She asked who is in charge of creating the agendas.
- First Selectman Cope stated that he is with the help of Ruth in framing it.
- Selectman O'Connor's other concern is the lack of specificity in the meeting warnings. For example, with respect to Moody's rating and the rate that we got on the bond sale, this should be a separate item, not embedded in the report on the Library construction project. Tonight we dealt with the Colonial Field easement under the Housing Commission Update, but the uninformed resident who looks at the agenda will not realize something significant is being discussed.
- First Selectman Cope stated that what he could do in the future is to break it down with a 1,2,3 with specific items.

- Selectman O'Connor requested getting a draft of the resolutions in advance of the meeting. She has brought this up in the past and is concerned that they are passing resolutions that they haven't had a chance to read. First Selectman Cope stated they will mark them "draft" and put them in the Selectmen's folders.
- Selectman O'Connor stated that at a previous meeting she asked that we do a review of income and expenditures in the current budget year. This seems to keep dropping off, she stated is trying raise it at a time that is quarterly and allows Eric's income figures to come in. This is a policy and if we want to change that policy and not watch our budget, then we need to act on that as a board. She stated that this is something that needs prodding all the time; it should be automatic.
- First Selectman Cope stated that we do review the finances.
- Selectman O'Connor stated that she had asked it to be on the February 7th agenda and it did not get added on.
- First Selectman Cope stated they will manage it more diligently to get it on.
- First Selectman Cope asked if there was anything else under this discussion.
- Selectman Jellen just wanted to echo Selectman O'Connor's concerns about detailing some of the agendas more. Some of the items are very broad and he feels that he really doesn't know what they are coming to the table for.
- Selectman O'Connor asked about when they could receive a copy of the budget for this Saturday's pre-budget meeting.
- First Selectman Cope stated they will do their best.

VII. Public Comment:

- First Selectman Cope invites public comment.
- Rich Lenihan: concerning the number of trucks coming in and out for the logging project.
- Gary Albert: concerning the proposed CRCA legislation. He also suggests that the Town work with Tony Hapanowich on taking care of Happy Acres, especially since the Town owns the property.
 - Mr. Albert is very concerned about the 1% conveyance tax. It doesn't matter whether
 - Selectman O'Connor agreed and will talk with him about it at their next meeting. She believes it to be a great idea.
- James Maharg : concerning the lack of communication between the First Selectman and the other Selectmen.
 - He also expressed concern about a Twitter account as they are a huge commitment. He states that the website is not updated regularly; how will a Twitter account be handled.
 - First Selectman Cope stated that he has an open door policy.

Adjournment:

First Selectman Cope moved to adjourn at 9:40pm, Selectman O'Connor seconds; all in favor.

Respectfully submitted by,
Tabitha Fazzone, Clerk

Clay Cope, First Selectman

Andrea O'Connor, Selectman

Chris Jellen, Selectman