

**Board of Selectmen
Town of East Windsor
11 Rye Street
East Windsor, CT**

**MINUTES OF REGULAR MEETING,
August 2, 2011 at 7:00 p.m.**

These minutes are not official until approved at a subsequent meeting.

Members Present: Denise Menard, Mark Simmons, John L. Burnham, and Richard P. Pippin, Jr.
Members Absent: Gilbert Hayes
Others: Kathleen Pippin, Dale Nelson, Alan Baker, Blaine Simpkins, Sr., Blaine Simpkins, Jr. Lori Gabriel, Carol Maddore, Paul Anderson, Catherine Cabral, Chris Arre, Eve Arre, Laura Harney, and others
Press: J. Mason (Patch.com), C. Garfman (Journal Inquirer)

I. Call to Order

First Selectwoman Denise Menard called the Regular Meeting to Order at 7:00 p.m., in the East Windsor Town Hall.

II. Attendance

Denise Menard, First Selectman
Mark Simmons, Deputy Selectman
John L. Burnham, Selectman
Richard P. Pippin, Jr., Selectman

III. Added Agenda Item

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen adds to items to the agenda IX. New Business D. Contract "Agreement for Appraisal of Real Estate within the Town of East Windsor Connecticut" and E. Authorization to enter into a contract with edm as Recommended by the Building Committee.

IV. Approval of Minutes

Minutes of July 19, 2011 Regular Meeting

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section IV, Paragraph 3 is noted. The following is the noted amendment:

“**He** is a Board of Finance Member and the recent...”

to

“**Mr. Bowsza** is a Board of Finance Member and the recent...”

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VI, Subsection c, Paragraph 1 is noted. The following is the noted amendment:

“...he was **unable** to attend, but...”

to

“...he was **able** to attend, but...”

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VI, Subsection e, Paragraph 3 is noted. The following is the noted amendment:

“...indicated **that parking spots are to be assigned** to the residents...”

to

“...indicated **the authority is looking into having parking spots to be assigned** to residents...”

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VII., Subsection b, is noted. The following is the noted amendment:

The misspelling of Michael Ceppetelli through out this section was noted. The spelling of the name was **Cappetelli** and should have been **Ceppetelli**.

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VII., Subsection b, Paragraph 8 is noted. The following is the noted amendment:

“...that the two opposing votes have had **issues** in front of ...”

to

“...that the two opposing votes have had **applications** in front of ...”

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VII., Subsection b, is noted. The following is the noted amendment.

A typographical error was noted for the Capital Improvement Planning Committee **term expiring May 1, 2015** should have read term expiring **May 1, 2012**. The motion regarding the appointment also needs to be amended to show the correct date of **May 1, 2012** and not **May 1, 2015**.

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VIII., Subsection a, Paragraph 1 is noted. The following is the noted amendment:

“...East Windsor Ambulance **added** paramedic services to...”

to

“...East Windsor Ambulance **dispatched** paramedic services to...”

and

“...and Tolland County has to **respond**, Tolland County is in communication...”

to

“...and Tolland county has to **dispatch**, Tolland County is in communication...”

An error was noted in the July 19, 2011 Regular Meeting Minutes. An amendment to the minutes in Section X., Subsection b, Paragraph 2 is noted. The following is the noted amendment:

“...through IT and the Town is **know** using Cox...”

to

“...through IT and the Town is **now** using Cox...”

It was **MOVED** (Simmons) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the minutes of July 19, 2011 Regular Meeting, as amended.

V. Public Participation

Ms. Dale Nelson, 51 Omelia Road, addressed the Board. She remarked that she attends many Board meetings and usually agrees with the Board of Selectmen and their decisions; however, the decision of not re-appointment Mr. Michael Ceppetelli, she does not agree with. Five people who took the time to attended the last meeting and spoke in support of the reappointment and made valid points. Mr. Burnham mentioned his vote was not due to a personal agenda; however, never mentioned what the reasons were for his dissenting vote. She apologized to Mr. Burnham indicating those were his words, not hers. She also mentioned Mr. Pippin’s remarks about the hearing not moving fast enough and two applicants who were held up by the Commission. Lastly, the public came out and gave their opinions, but the Board did not listen, what is the point.

Mr. Paul Anderson, Main Street, Broad Brook, addressed the Board. He inquired as to the mission statement of the Town. He was wondering where he can find that statement, because he looked on the website and could not find it. Ms. Menard commented that the mission statement is posted at the Town Hall, and she thought it

was on the website. She would inquire about the listing of it on the website and make sure it is accessible to all.

VI. Communications

Inland/Wetlands Watercourse Agency Updated Member List

Ms. Menard indicated to the Board Members that in their packets is an updated member list of the Inland/Wetlands Watercourse Agency. She indicated it may have too many members. Her secretary, Jennifer Browne, has been working on the list with Robin and there might be one extra regular member. There are suppose to be five members and two alternates; however, the website indicates that there are six regular members and two alternates. Ms. Menard indicated according to the Town Ordinance there should be five regular members and two alternates.

VII. Selectmen's Reports

a. Denise Menard, First Selectwoman

Ms. Menard indicated she does not have too much to report on; however, the Building Committee met last night. They have asked that the Board go over bid specs for contractors; specifically a transfer will be discussed this evening regarding the Town Annex. A discussion was also held regarding the heating/HVAC of the Town Hall and hiring an engineer to recommend same; which will also be discussed later in the evening. CIP will be meeting later this month to give the group a jump start and the Pension Committee will also be meeting this month discussing the proposals for the investment piece. Five or six bids have been received and will be reviewed by Ms. Cabral, Ms. Savitsky, and herself to make recommendations to that Committee

b. Mark Simmons, Deputy First Selectmen

Mr. Simmons mentioned the Broad Brook Fire Department Parade which took place over the weekend. He thought it was a nice parade.

Mr. Simmons commented on EDC workshop regarding the Route 140 which will be taking place on September 15, 2011 at the Scout Hall. The time of the workshop has yet to be determined.

Mr. Simmons indicated the Veteran's Commission did not have a meeting so there was nothing to report on that Commission. He did mention of an upcoming golf tournament sponsored by the German Club. Over the last seventeen years, the German Club has given a substantial amount of money to the schools for scholarships and other needs. The tournament is scheduled for September 25, 2011, which is a Sunday and the cost is \$75.00. If anyone is

interested in playing in the tournament, they can contact Mr. Dennis Soucy for details.

Mr. Simmons spoke on a personal note regarding the recent vandalism at the Trolley Museum. He hopes the perpetrators who did commit the vandalism will be caught. The Trolley Museum is a treasure in East Windsor and it is a shame that something like this could happen. Recently, the museum had a bbq fundraiser for the museum, but because of this incident, approximately \$6,000 of damages was done. He hopes the perpetrators are captured. Mr. Anderson, an audience member interjected indicating that it would be great if anyone knows of a safe that can be donated to the museum so cash and other valuables could be securely stored.

c. John L. Burnham, Selectmen

Mr. Burnham indicated the Zoning Board of Appeals recent meeting was canceled. He commented on the American Heritage River Commission which has finished their clean-up up to Melrose Bridge and another clean-up day is scheduled for Saturday, and it is hoped the clean-up will continue all the way to the Enfield town line. He mentioned the volunteers today went out to do testing and survey the rivers so data can be kept regarding the rivers.

Mr. Burnham commented on the East Windsor Historical Society Ice Cream Social which took place recently. He mentioned that the Historical Society is another gem of East Windsor, commenting on artwork and other various pieces of artifacts from the history of the Town are kept.

Mr. Burnham remarked about a recent project of a pedestrian bridge which will be done by college students from Central Connecticut University under the advisement of Mr. Dick Sherman and Robin. The pedestrian bridge will be constructed by the old Melrose Bridge. The property which the bridge will be constructed is owned by the State of Connecticut and Town of East Windsor.

d. Gilbert Hayes, Selectmen

Mr. Hayes did not attend the meeting, no report given.

e. Richard P. Pippin, Selectmen

Mr. Pippin indicated the recent Planning and Zoning Meeting one application was received. A discussion was held regarding Newburry LLC application and at the next meeting a vote may be taken regarding the application, as long as the fees are paid. AWPCA meeting was held on July 27, 2011, wherein an application from Mr. Walter Bass was withdrawn and the application for a dental office on 137 Prospect Hill Road was approved. A discussion regarding an engineer to be hired in order to apply for additional funds from the USDA to extend the sewers was held. Mr. Pippin gave to all of the Board Members a map of the current sewers and the proposed extension.

Ms. Menard wanted to mention that during the construction of the sewer project on North Road, soil contamination was discovered. The construction has been temporarily stopped while the contaminated soil is removed; approximately 200 tons of contaminated soil. Once this is completed, the project will continue. It is anticipated that the pump station will be start in September. A great job has been done thus far.

VIII. Board and Commission Resignations and Appointments

a. Resignations:

Kathleen Pippin, Pension and Retirement Board

Ms. Pippin in a letter dated July 21, 2011, she indicated she would resign from the Pension and Retirement Board effective immediately due to her work obligations interfering with the Board.

It was **MOVED** (Simmons) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen accepts the resignation of Kathleen Pippin, Pension and Retirement Board, with deep regret.

b. Re-Appointments: None

c. New Appointments:

American Heritage River Commission

Richard P. Sullivan, (U) Alternate Member to serve a term expiring August 1, 2015

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the appointment of Richard P. Sullivan, (U) as an Alternate Member to serve a term expiring August 1, 2015.

d. Board and Commission Current Vacancy List

The list was given to all the Board Members for their review. A brief discussion was held regarding the list and how the list is maintained.

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen agree to move the discussion of Agenda Item XI. Budget Matters B. Budget Transfers.

XI. Budget Matters

b. Budget Transfers

Ms. Menard introduced to the Board, Ms. Catherine Cabral, Treasurer to discuss the budget transfers. The first transfer discussed is from monies from Park and Recreation Part-Time Account to the General Over-time Account within the Public Works Budget to be used for additional Over-Time for the Parks/Grounds Supervisor Keith Tetro. The request is in the amount of \$2,500 from the Parks and Recreation Budget 2011-2012.

A discussion was held.

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen recommends to the Board of Finance the transfer of \$2,500.00 to the Public Works O/T Park and Rec (3180/112) from Park and Rec Over-Time 2011-2012 (6315/101), as presented, and recommend to a town meeting, if necessary.

The second transfer discussed is transferring \$48,800 from the Public Safety – Pension Plan to the Contingency Fund. Ms. Cabral explained that she and Mr. Pippin attended a workshop wherein it is in the best interest of municipalities for bond rating purposes to slowly grow the Contingency Fund balance every year. The Public Safety – Pension Plan has excess funds due to the smoothly process from 2010-2011. Ms. Menard interjected indicating the Pension Fund is fully funded. In transferring these funds, it shows the Town is showing growth in the Contingency Fund. Ms. Menard reminded the Board Members that the Contingency Fund is used for emergency purposes which are unforeseen. The goal of the Town is to slowing grow this fund. Ms. Cabral indicated that the statute indicates the Contingency Fund cannot be larger than 3% of the budget.

A brief discussion was held.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen recommends to the Board of Finance the transfer of

\$48,800 to the Contingency (8410/890) from Public Safety-Pension Plan 2010-2011 (2195/203), as presented, and recommend to a town meeting, if necessary.

It was **MOVED** (Pippin) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen agree to continue with the order of the Agenda Item IX. New Business, a. Blaine G. Simpkins, Jr., Appointment as Deputy Fire Marshal.

IX. New Business

a. Blaine G. Simpkins, Jr., Appointment as Deputy Fire Marshal

Ms. Menard introduced to the Board Mr. Blaine G. Simpkins, Sr. and Mr. Blaine G. Simpkins, Jr. to discuss the appointment of Mr. Blaine G. Simpkins, Jr., as a Deputy Fire Marshal. Mr. Simpkins, Sr., gave to the Board Members a certificate given to Mr. Blaine G. Simpkins, Jr. from the Department of Public Safety, Division of Fire, Emergency and Building Services for successfully completing the program for Fire Marshal dated June 22, 2011. At this time, it is being requested that Mr. Blaine G. Simpkins, Jr., have his position upgraded from Fire Investigator to Deputy Fire Marshal. This upgrade will have no cost to the Town.

A brief discussion was held.

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the appointment of Mr. Blaine G. Simpkins, Jr., as a Deputy Fire Marshal.

b. BMX/Skateboard Park Study Committee progress report to date

Ms. Menard introduced to the Board members of the BMX/Skateboard Park Study Committee, who were: Ms. Lori Gabriel, Chair; Mr. Chris Arre, Ms. Eve Arre, and Ms. Laura Harney. The members were invited to discuss with the Board the status of the BMX/Skateboard Park and the present plans for the construction of the park. Ms. Gabriel gave the Board a brief history of the Committee over the last three years. Ms. Menard indicated a lot of money has been raised in the last three years and Mr. Len Norton has begun to clear the property of where the proposed park will be housed. The park will be paved with asphalt and not concrete, due to the cost of concrete. Three pieces of equipment will be purchased to be placed in the park. Park and Recreation has requested information from the Committee which has also been requested by CIRMA, the Town's liability insurance carrier. Ms. Gabriel indicated she has been in communications with Park and Recreation and has given the information requested. Ms. Menard indicated that she believes that CIRMA will not be insuring the park and inquired if BMX/Skateboard Park Study Committee has discussed how the park will be insured. Ms. Gabriel commented that all of the contractors who will be working on the construction

of the park have provided certificates of insurance. Ms. Menard asked if the town has been added to those certificates of insurance. Ms. Gabriel indicated the Committee has no plans of insuring the park and was under the impression the park would be insured as other parks are insured through the Town parks. She gave examples of parks, such as, baseball fields, soccer fields, and basketball courts. Mr. Pippin commented that under a new Connecticut Court Ruling, the town has limited liability citing a ruling regarding the MDC and West Hartford. Ms. Menard indicated the CIRMA has all along said that they would not insure the park. Ms. Gabriel doesn't understand because the park will be used by kids, again, just like the baseball parks and other parks in Town. Ms. Menard read from an old document entitled "Volunteer Group Establishing Park on Town Property" which discussed forming an association, specifying the use of the park, responsibilities of all parties, maintenance agreement, monitoring and enforcement and obtaining insurance.

A discussion was held regarding the insurance coverage and the responsibilities of the Committee and the Town. After the discussion, Ms. Menard indicated more research needed to be done before anything could be decided. She would get a hold a meeting with all individuals involved in this project so the issue of liability insurance can be discussed. The meeting will include Mr. Len Norton, Ms. Laurie Whitten, Ms. Lori Gabriel, and Ms. Melissa Maltese. Clarification would also have to be gotten from CIRMA.

Mr. Pippin did mention that some of the paperwork for the size of the park is different, it all should be uniform. Ms. Gabriel indicated the size of the park will be 100' x 100', not 150' x 150 or 150' x 100'.

c. Discussion of Four Town Fair Parade

Ms. Menard indicated she has received a letter from Ms. Claire Rich, the Four Town Fair Parade Chair indicating that Ellington will be the host town for the 17th Annual Four Town Fair. The annual parade is scheduled for September 17, 2011 and the Town of East Windsor is invited to participate. Ms. Menard inquired with the Board Members if they would like to participate in the parade this year.

After a brief discussion, it was decided the parade is about six weeks away and a decision didn't have to be made yet.

d. Contract – "Agreement for Appraisal of Real Estate within the Town of East Windsor, Connecticut"

Ms. Menard introduced Ms. Carol Madore, Assessor, to the Board. Ms. Madore has given to the Board previously to this meeting the proposed contract which is the same document approved last year regarding the agreement for appraisal of real estate within the Town of East Windsor. Ms.

Madore indicated the contact calls for the same rate as last year and the only changes made to this contract is the dates of same.

A brief discussion was held.

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the Contract – Agreement for Appraisal of Real Estate Within the Town of Windsor Locks with Mr. John J. Cahill, III, as presented.

e. Authorization to enter into a contract with edm as recommended by the Building Committee

Ms. Menard indicated to the Board Members that in their packets is a proposed contract from edm to design and modify the process of replacement and upgrade of the heating/HVAC at the Town Hall. This was done when the high school boiler replacement and renovations were performed and it was also used during the Broad Brook Elementary heating system was replaced. Engineers at the edm recommend as to the best possible way of completing the process and the edm has nothing to gain while making their recommendations. Currently the CIP has a balance of \$50,000 for the project of replacing the heating/HVAC in the Town Hall.

A lengthy discussion was held regarding the process the edm and how Mr. Len Norton and Mr. Ralph Baker would help in the process. Mr. Burnham indicated does the town need to receive three bids for this contract since the Town Charter calls for three bids when a contract exceeds \$20,000. Ms. Menard indicated she would inquire with the Town Attorney to insure the town is not in any legal trouble. Ms. Menard asked if the Board could consider approving the contract, if the issue of meeting the Charter requirements. The discussion will be continued at the next regular meeting.

X. Unfinished Business

None.

XI. Budget Matters

a. 2010-2011 Budgets

b. Budget Transfers

Ms. Menard indicated there is only one budget transfer/appropriation left to discuss. The appropriation is to allocate monies received from CIRMA to fund the repavement of the Annex parking lot As the Board Members are

aware, the Annex parking lot has serious issues and the town has been on notice of those issues which could leave the Town liable if anything should happen. The monies which would be used for this appropriation are monies received from CIRMA in the amount of \$22,678 for being in good standing and reimbursement of two tobacco sheds which were damaged during the snow storms this winter in the amount of \$77,031.79. The total amount is \$99,709.79. Ms. Menard would like to assign those funds to a project entitled "Repave Annex Parking Lot". Mr. Pippin indicated another problem with the parking lot are two stumps of trees which were removed and there are no sidewalk from the parking lot to the entranceway and he would like those stumps removed and a sidewalk be added. Ms. Menard indicated the cost of the project, not including the stump removal and sidewalk is approximately \$98,000. Mr. Pippin commented the removal of stumps and the adding of a sidewalk needs to be done. Mr. Burnham inquired if three bids needed to be received before giving the project to a contractor. Ms. Menard commented that Galasso Materials, LLC is a state contractor.

A brief discussion was held.

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen recommends the appropriation of \$99,709.79 (Account No.: 1-08-55-1025-7-799-0663-0 Repave Annex Parking Lot) and forwards to the Board of Finance for approval, with the stipulation that a sidewalk be included on the side of the parking lot due to the safety issues, and to a Town Meeting if necessary.

XII. Executive Session (pursuant to Connecticut General Statutes Section 1-200(6) Contracts and Litigation

It was **MOVED** (Pippin) and **SECONDED** (Simmons) **PASSED** (U) that the Board of Selectmen enters into Executive Session to conduct a hearing and to preserve the confidentiality of records.

The Board entered into Executive Session at 8:37 p.m.

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen terminates Executive Session enters into Public Session at 9:18 p.m.

XIII. Adjournment

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen adjourns the August 2, 2011 Regular Meeting at 9:19 p.m.

Respectfully Submitted,

Denise M. Piotrowicz
Recording Secretary