

TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
MINUTES OF JUNE 2, 2009

I. TIME AND PLACE OF MEETING

Ms. Menard called the meeting to order on Tuesday, June 2, 2009 at 7:30 p.m. at the East Windsor Town Hall

II. ATTENDANCE

Denise Menard, First Selectman
Gilbert Hayes, Deputy First Selectman
Dale Nelson, Selectman
Mark Simmons, Selectman

III. ADDED AGENDA ITEMS

MOTION: To add the following item - New Business, Item F. Interview and Discussion of Brian Cullinane application.

Made by Ms. Nelson, seconded by Mr. Hayes.

Discussion: Ms. Menard advised the audience additional resume handed after closing all resumes for spot on BOS that fill vacancy. When asked how came to deadline that did for interview process – it was one that thought to bring order to process, no charter or statute parameter that requires cut off date- since asked added to process up to BOS to add that and anyone else who wanted last minute resume.

ALL MEMBERS IN FAVOR. MOTION CARRIED

IV. PREVIOUS MINUTES

Approval of Special Meeting Minutes of May 5, 2009

MOTION: To approve the Special Meeting Minutes of May 5, 2009, as submitted.

Made by Ms. Nelson, Seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

V. PUBLIC PARTICIPATION

Marie DeSousa, 10 rice road (Chairman Board of Finance) – She publicly thanked the Board of Selectmen for all help in assist Board of Finance with budget and everyone in room that took the time to come out and get involved in budget process. Thank you.

Chris Davis, 86 Griffin road – Republican town committee acting chair – There are excellent candidates at special meeting to fill the Republican vacancy on the Board of Selectmen and he trusts each would serve well on board. He asked that the board move forward with republican town committee endorsement of Richard Pippin. Also like to say three fellows took time and effort to submit their application on time as requested on the website and were also interviewed during proper procedure at the special meeting. As chair he was unaware of anyone else interested in running and would love to speak to that individual as well and is looking forward to hearing from him. He again stated that the three individuals submitted the application on time and that is important if select someone select someone on time and does by proper method.

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Unknown Resident, 6 Sunview Drive – Thanked the board for hearing later in meeting the fourth interview. Regarding the application deadline, per the charter the timeframe has not expired yet, also no general statute applicable. Many know Brian as head moderator for town budget – felt that was his duty first and foremost, until that was done he did not want to get distracted by another process. Since budget approved – thank you – felt appropriate to act at that point in time, as charter timeframe had not expired.

Kathy Simoneli, 71 Depot Street – Thank you to the board for accepting hearing Brian Cullianne' application. He is an intelligent man and makes decisions carefully and deliberately. He has a successful profession – all are qualities that will serve the Board well. His unbiased position demonstrated and he will make decisions to move E.W. forward positively. If the goal of the Board is to find the best person, then chose Brian.

John Burnham , 178 Scantic Road

He believe perception come forth if interview done tonight. He is not saying Brian should not be considered but it is no longer open to everyone, three applied on time and all of a sudden fourth name in and pushed forward. The appearance is that not everyone could have been included late. Does not look good – looks like something done behind backs. Thinks that might want to consider perception and if the Board moves forward with Brian Cullinane's application, they actually have to reopen the process to all as there might be other candidates that missed deadline and did not come forward as they thought the process was over.

Gerilynn Corso, 23 Lindsay lane

As to the deadline – understanding by charter and everything – there is no deadline. The date selected was a date by selectmen for ease of getting everything together – by charter no deadline. (Public participation is not give and take but Ms. Menard said set an administrative deadline and will stand by that.)

Linda Sinsigallo, Mahoney Road – Chairman Republican nominating committee many years. Town traditionally two party system and a nominating committee for both parties. Those committees have always tried to work together to come up with good candidates. Rep town committee very visible on website lately with scenario what looking for what republicans need. Anyone interested in joining any board commission – invited to republican meetings to join in. Think board should recognize the republican nominating committee came up with candidates and took vote and Mr. Pippin was selected. She hoped the Board would consider the Republicans stand in this and do the right thing. Need to work together – need to make town better by cooperating with each other.

Marie DeSousa – 10 rice road - Chairman of Democratic Town Committee) – not agree with all Linda indicated. For a lot of years both committees were not receiving notification and used to be come thru selectmen's office – that has now changed and there is notification for the respective parties. Also feel, as Democratic town chair she has no right to force anyone as Democrat in town to be part of committee if they chose not to. If cannot commit to town committee they want to be individual they have that right. All four gentlemen came forward and now it's the Board's decision. Brian Cullinane wanted to finish a task, and she

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commended him for not wanting to muddy water before complete task. He came forward as opportunity there – which may not be there again. The more we open people to come, more open to show what have to offer – the deadline was an arbitrary date.

Ed Lang, 22 Perry Lane

Came to support Brian Cullinane. He has known him from church, their children are growing up together, when saw situation of budget that Brian did an excellent job. He is a democrat and he supports Brian and hopes town gives him chance to interview.

Cathy Pippin, 37 Woolam Road

She is an alternate on the board of finance – she commended Dick Pippin who has 38 years of volunteer service, never missed a meeting, North Central 15 years, constable – thinks because Mr. Pippin knows many things for the town, excellent select person for town.

VI. COMMUNICATIONS – the following were for the Board’s information

- A. Board of Finance Public Hearing Minutes of May 5, 2009
- B. Budget by Department
- C. CCM/Bills on the House Floor Affecting Cities and Towns
- D. CCM Survey Results
- E. Connecticut Labor Force Data/March & April 2009
- F. Letter to Chief DeMarco and Deputy Chief Hart

VII. SELECTMEN’S REPORTS - SUSPENDED DUE TO FULL AGENDA

- A. Denise Menard, First Selectman
- B. Gilbert Hayes, Deputy First Selectman
- C. Dale Nelson, Selectman
- D. Mark Simmons, Selectman

VIII. BOARD AND COMMISSION RESIGNATIONS & APPOINTMENTS

A. **Resignations:**

Barbara Fitzsimonds, BMX Committee

MOTION: To accept, with regret, the resignation of Barbara Fitzsimonds from the BMX Committee

Made by Mr. Hayes, Seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED.

B. **Re-Appointments:**

Conservation Commission

Kathryn A. Roloff, (U) Alternate, four-year term to expire 6/1/2013

MOTION: To re-appoint Kathryn A. Roloff as an alternate to the Conservation Commission for a four year term to expire 6/1/2013

Made by Ms. Nelson, Seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

Veterans Commission Grave Committee

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George Butenkoff and Ronald Hwalek for a two-year to expire 6/1/2010

MOTION: To re-appoint George Butenkoff and Ronald Hwalek to the Veterans Commission Grave Committee for a two year term to expire 6/1/2010

Made by Mr. Simmons, Seconded by Ms. Nelson

ALL MEMBERS IN FAVOR. MOTION CARRIED

C. New Appointments:

Veterans Commission Grave Committee

Gilbert Hayes for a two-year term to expire 6/1/2011

MOTION: To appoint Gilbert Hayes to the Veterans commission Grave Committee for a two year term to expire on 6/1/2011

Made by Mr. Simmons, Seconded by Ms. Nelson

ALL MEMBERS IN FAVOR. MOTION CARRIED

D. Board and Commission Current Vacancies (See Attached)

Mark Simmons took a moment– veterans commission – a lot members are getting older and need members – important part of community – events like Road Race and gave \$11,000 in scholarships to seniors over last ten years. Jacqueline Whitehead and Chris Hayes received this year; flags in cemeteries; Memorial Day services. If anyone in large audience consider joining, it would be helpful. This is not just for Veterans

IX. UNFINISHED BUSINESS

A. Discussion of Charter Revision May 18, 2009 Public Hearing

Ms. Menard indicated they need to get back to the Charter Revision folks. Attached are copy of minutes, we agree or don't agree – should get back to the Commission with something. There is a timeframe. Ms. Nelson indicated minutes are accurate but there is a referendum and % cap issue in the draft – which is a problem. A suggestion was to cap based on cost of living, which was social security. The board wants to stress the comments made by Gilbert Hayes in the May 18, 2009 minutes. There needs to be one more meeting with the charter revision folks and this will occur in the future.

B. *Public Safety Communications Committee

C. *Resident's Request/Municipal Tax Amnesty (Postpone until July 2009)

D. *Discussion and Action regarding Snow Removal Ordinances

1. Ordinance 68-2 Concerning the Removal of Snow and Ice

2. Ordinance 74-4 Concerning Night Time Parking and Also Snow Removal in the Town of East Windsor

E. *Employee Manual

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**MOTION: To take Item B. Robert Maynard/Newberry Road Pump Station Assessment out of order
Made by Mr. Hayes, seconded by Mr. Simmons
ALL MEMBERS IN FAVOR. MOTION CARRIED**

Robert Maynard/Newberry Road Pump Station Assessment

Robert Maynard, 7 New Heron Way came before the Board and presented additional materials. Kevin Leslie, WPCA and Paul Anderson, Chairman were also present.

When this item was put on the agenda, it was thought Mr. Maynard would speak, but there are attorneys as well to give a legal opinion. Ms. Menard reiterated, as she stated in a meeting with him and Kevin Leslie, the Board of Selectmen does not have authority of WPCA. Mr. Maynard spoke to that and stated on April 22 on the public hearing on the assessment, they were told that reason WPCA making assessment because directed to do so by the Board of Selectmen. They said have no choice but to do it – that is when Mr. Maynard came the following day and asked to speak to Board of Selectmen, as thought the Board of Selectmen makes decision.

The unfairness of tax imposed, assessment imposed – should have been done 2003 and delayed for six years – now is really unfair and cannot be fair due to change over six years. As history described –when pump station in operation 2003 the First Selectmen Linda Roberts directed not to collect assessment at that tie – and it was not. As time went by another conversation with L. Roberts directed collection of the assessment. That is why directed to do collect it now. Hoping, if what Menard says true – he does not understand and is hoping since a number of years passed and a lot of things changed that the current Selectmen look at the situation and Direct the Superintendent of WPCA on whether to impose the assessment or not. Mr. Maynard stated that is where he is coming from. He would like to present the issue to board – and the board can do as choses.

Ms. Menard stated Mr. Maynard presented thoughts important for Board to understand. Ms. Menard has a history on WPCA and it is where she started and she understands it and that it is its own agency. Good for Kevin or Paul to explain the assessment briefly and also comment on how it was stated the Selectmen are the ones who told them to do assessment – certainly not something this Board directed nor Ms. Menard personally.

Paul Anderson read a portion of Connecticut General Statute 103 sec 7-249. He stated it puts forth no restriction on time or assessment, except that assessment cannot exceed cost. Mr. Maynard totally agreed. Anderson first selectman portion – not voted by board – as courtesy go to selectmen here is circumstance, what is best instance and advice given and they take the advice of Board of Selectmen. WPCA not directed but encouraged to discuss with selectmen – in his opinion selectmen are the keepers of the town so to speak. In best interest of town, the best indicated by Board of Selectmen as opposed to side groups and that is how they got where they are.

Denise Ménard can say at meeting with her, Maynard and Kevin – she said she was comfortable with assessment – speaking for herself as CEO of town and to take one project

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and make it exempt from assessment would be a dangerous precedent to set to then say next project, which could be huge or tiny, would then have precedent citing the former actions regarding assessments. It is not a direction from the Selectmen – but she agrees with the direction the WPCA got at the time.

Kevin Leslie detailed the history of this item funded thru CIP, at the time it was funded, it was indicated to the CIP committee and finance board, and there would be assessment. They did get the money, completed project and started assessments – caveats on effected property owners in 2003 – so they knew of assessment. One property owner had closing and their attorney called – stated did not know amount, but there would be an assessment. When sat down to begin process of assessment – decided to follow thru and complete assessments – ran numbers, which takes time, assessments came out high – so spent hours, hours at board meetings, subcommittee how best to assess – ultimately decided to only assess at one half cost of project – actually less than half as two parcels in there that have assessed values associated with them and frontages into calculation but will not bill those two properties – 88 acres of conservation, not benefit sewer – there is one that has easement, tough negotiator, he has no assessment. Those do get subtracted from remaining people. There is a time delay – some c.o's date back six years, some more recent. Held public hearing, first part, all complaints written. Went back to put semblance what said. There are big factions – newberry village should be under old values at time; scorpion fasteners and probably made same. Dollar amount does not change, assessments do change. Did rough calculations on properties as they existed at time and many would have gotten much higher at that time, than would now.

Denise Menard put in if the assessment put in place five years ago, would have been more concentrated as less development at the time. There are many factors, not just WPCA, that contribute to time line.

Mr. Maynard stated when he was put on agenda he did not realize WPCA would spend most of the time talking. No chance to present their side. Ms. Menard stated that the effort is to educate the board of selectmen of process. Maynard distributed area serviced by newberry road pump station – as stated – when originally built only 7 property affected that caveat put on. 2006 pipe (prospect hill drive/broadview lane) to pump station – so now whole community serviced by pump station and has been since 2006 yet they are not asked to pay at all. He bought house in 2007. If it was done in 2007 he would not have paid cent, now he that 2008 he has to pay. Also bit of statute read, Maynard agrees, if continue reading statute there is reference to delay and fairness applied. If go forward with unfair assessment have to include Prospect Hill Drive should be included if the assessment is made. Does not think should be made at all

Attorney Landolina who represents LTP reality inc, newberry village, llc newberry village homeowner association inc. came before the Board. He understands different in jurisdiction WPCA vs. BOS – but as pointed out only reason here in a sense directed to come here – told at prior meeting, WPCA directed by Selectmen to do so. If read statute talks about property especially benefited by this. Cannot imagine under reasonable reading make argument property on Prospect Hill Drive and others were not specially affected. There was a prior pump station there – that came under disrepair, decided to run pipe from Prospect Hill Drive

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allowed new pump station was cost effective. Those people are benefited – therefore, at least for that WPCA should assess just property owners along newberry and Winkler is defective – process has to be restarted and those folks brought in – otherwise patently unfair.

Denise Menard looked at the situation as simple – Prospect Hill folks could flush before the sewer pump station and could flush after sewer pump station – those folks assessed now could not. The Prospect Hill people have already paid for the benefit to flush, the new owners are not.

Representatives against assessment stated the point is Prospect Hill drive received benefit. Infrastructure and plant material gone into. Argument what if not allowed to connect to newberry road and decided to rebuild – town would have been able to assess them for cost of physical plant – WPCA chose not to do that. The flush factor may go to how much money can be assessed, but it does not change that they benefits.

Denise asked what advocate Selectmen do. As the Board has no authority. Attorney Landolina did not understand why directed to come here as he knows the jurisdictions of both. To him it is WPCA jurisdiction. He was surprised to hear that the Selectmen directed them. Otherwise they would not be before the BOS. Those were remarks given – as a matter of fact the public hearing extension was granted for sole purpose to come before the Board of Selectmen.

If chairman of WPCA said that, it was in error – it does not change the power of the Board of Selectmen or the responsibility of WPCA.

Maynard apologized in coming here as obviously misdirected. Now know the argument with WPCA and no need to present to Board of Selectmen. Agree with Paul that he looks to Selectmen for doing what in best interest of town. Maynard represents business owner and property owner feels unfair and unjust tax and not in best interest of town and six or seven year delay is not in the best interest of the town to pursue this tax and/or force into litigation. Follow up on point of benefit – one pump station information – another example unfairness e-mail referenced and quoted by Mr. Maynard. Current owners of Newberry Road forced to pay twice.

Public comment:

Dan Onofrio – own 124 newberry – prev owner Scorpion. Paul said assessment cannot exceed cost of property – feel recover \$159K – He felt the hook up fees alone paid for the project. With proposed money say the pump station paid for twice. Also WPCA does not answer to town – town does not seem to know what going on – assessment from WPCA – when asked Kevin about it – said it came from the town. Assessment shows as e.w. WPCA assessment worksheet – not “town of East Windsor” brought up \$499 bill, part of assessment for building on property – there is no building. Thinks the whole thing is unfair – no one knows who they should talk to. Brought it up and was told it is not a bill – yet the letter from town E.W. states it’s a bill and has 90 days to pay or face penalty. Had paid the bill would have paid \$499 for mystery building that does not exist. Thinks whole thing unfair. Personal opinion hook up fees alone have paid for this thing twice – not only the half the WPCA looking to recover, but he believes the full cost of

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pump station. The full cost was somewhere \$350K – that will be received from Newberry Village.

Clarification by WPCA – Anderson connection fee only pays back bonding for sewer plant itself – that is purpose, has nothing to do with any infrastructure in ground or user fee on sewer system. Many dollars bonded for sewer plant and still paying. A portion of that money comes from the facility connection charge – a totally separate item from any other bill whatsoever. Everyone who connects to system pays the charge – new or existing pay connection fee. Sewer user charges for use of system to maintain plant on regular basis so sewage processed. Benefit assessment only has to do with infrastructure put into existence to support the sewer system in a given area. Three totally different items. Facility connection charges do not compensate for infrastructure.

Maynard caveat to that → sewage facility in all processing in E.W. is for east Windsor and paid for by east Windsor. Nothing occurs outside East Windsor. If different ways to pay for different things – fine, but all East Windsor money and East Windsor ends up paying for cost of treatment plant and sewers anyway you come to it. This is a windfall - \$400K building 91 houses - \$20 million to grand list just from Newberry alone. Also if do not include Prospect Hill in assessment and go forward with unfair assessment, forcing them to go to litigation. Resident wants community to thrive and does not feel assessment is best for East Windsor. Time delay makes it unfair. Next time when do North Road sewer bill owners right away when into service, do not wait seven years and bill current owners.

Ray Noble – funds taken out of town taxpayer to build plant, cip paid for plant, not told about when went to build building about caveat – planned on putting own personal pump station in. He feels that people paying lots of taxes, hellavu benefit already for taxes paid – thinks there should be big letters across EDC website beware taxed twice in E.W. if move here. The paid for that, agree with all Bob said.

Maynard also statute say if build facility and tax, need public hearing first. Found no evidence of public hearing on newberry road pump station – unless hard evidence that there was a public hearing he cautions the town.

Hayes prior to 2003 where was pumped from for Prospect Hill Drive and why new pipe? Anderson – newberry road pump station put into service sewer in street town did not pay for but was unusable to make area usable. Prospect hill drive pipe independent of that at different timeframe. Newberry installed and functional and running. Newberry road had cap on end not usable. Mid-70's state redoing newberry road and saying town explode, state put sewer line in ground for free, but no way to use it. Kevin Leslie went over the various costs of the entire project. Maynard to answer question – pump station newberry road put in service 2003 – prospect hill drive area and broadview, pump station failed. 2006. Kevin Leslie indicated it did not fail, it was in bad shape – alternative was to run gravity line down the hill to existing line. Kevin Leslie detailed problems with newberry

Dave Watson, 1 Mockingbird Lane – bottom line prospect hill area, pump house was failing – old had to be replaced or run pipe. Still have the accessibility of pump house. If

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cut pipe off would not be able to flush toilets. Prospect Hill residents are getting benefit of it or they would have had to pay for their own and had to pay assessment.

Leslie stated if you go back forever as budget – specific line item year after year for pump station replacement and he detailed how it operates. Ms. Menard asked why not take those monies used. Mr. Leslie stated that is for replacement of existing not construction of new ones. Newberry pump station was brand new line. Do not budget money for brand new.

Don Platt, 3 Mockingbird Lane – seems that in all fairness people from WPCA do great job – seems missing whole point connecting whole section of town utilizes Newberry pump station. As said eloquently – if that line was shut off they cannot flush. His feeling if he is assessed tune of \$1800 to offset price of pumping station in effect since 2003 – they also should bear part of this cost. To say no they are not going to do it is grossly unfair.

Menard at this point does go back to WPCA their public hearing is continued to June 17th. Does not know what the Board of Selectman can do.

Watson - WPCA indicated they would take board recommendation to go forward.
Would like to hear what the board has to say.

Ms. Nelson indicated this board does not have enough information and it is not something that can be made a decision on. Ms. Menard reiterated that the assessment process belongs to WPCA and to have group or project eliminated would be unfair to any future projects or any past projects that have paid. As to nitty gritty how decided that is much beyond board of selectmen purview and not the boards business.

Cody, 94 Newberry road. They are here because Paul Anderson said it was first selectmen recommendation. Ms. Menard indicated that is wrong. This is a waste of time. Menard agrees and she told Mr. Maynard that the day she met with him.

Two minute recess taken. Back in order 8:50 p.m.

MOTION: Return to agenda item to New Business 10A.

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X. NEW BUSINESS

- A. Appointment of a Selectman to fill the position formerly held by Edward Farrell

MOTION: To table this discussion to Thursday June 4 at 6 p.m. - the purpose to allow any other person who would like to put their name in the hat for the Board of Selectmen vacancy who would have to have paperwork in by noontime on that date and also allow the applicant to have their say at 6:00 p.m. and at that time the Board will have enough information to make informed decision

Made by Ms. Nelson, seconded by Mr. Hayes

DISCUSSION: Mr. Simmons opposed and wants to maintain integrity of process and is prepared to make decision tonight

VOTE:

In favor: Hayes, Nelson

Opposed: Simmons

MOTION CARRIED.

Motion: To take item 10f out of order

Made by Ms. Nelson, seconded by Mr. Hayes

IN FAVOR.

HAYES, NELSON

SIMMONS OPPOSED

Motion carried

New Business, Item F. Interview and Discussion of Brian Cullinane application.

Brian Cullinane came before the board and Ms. Menard went forward with the questions

Why do you want to come to position and what think bring to it? I think bring a unique perspective – 12 years ago wife and he purchase house on Sunview Drive moved here to raise family. With that done a lot with town spending time various town activities, bingos, scouts, contributed to town – couple that with experience background in education, business – graduated northeastern with BS in business admin - coupled further with experience in business world currently V.P of a family run company East Hartford – unique perspective town does not have – younger generation forward – help town with vision going forward.

This year's budget process as far as what was done by - what done to help facilitate process – what good, what bad? Outcome was good, not as good as he would like in terms of dollars, but single task good and did not cost town further money. As liaison to finance committee could look at budgets more minute detail and ask for more in depth detail as to dollars.

Hayes is liaison to Board of Education and noticed Mr. Cullinane attend a lot meetings – so if not chosen for this position at this time, willing to entertain serving on another committee. Asked to be on Board of Education and declined because felt Board of Selectmen had a better vision and was able to direct that vision. His role in company as

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directing of company would help in that manner – think other boards within town have to weigh and measure if felt background and experience would help.

Hayes introduced himself after Board of Ed meeting; mentioned that concerned about town progressing and concerned about children’s education. Is Cullinane considering staying in town? What mean by progressing – brief overview of what town needs, couple ideas? He is staying in town – he did look at selling probably about four or five years ago before down turn in economics. Felt could help town at that point to improve education system that is when he got involved and looked to see where his education and background would help E.W. He has no plans to move, no plans to sell. As far as progression – town is growing and with open space there is a larger younger group of families looking to build homes and raise families – looking at E.W. as possibility. Also think other items addressed are budgetary issues and constraints. Also need seniors brought back into the fold, address proper relief for them, as well as bring school system up to par and add to EDC a lot more effort.

Any notable accomplishment to make East Windsor a better place? Recently moderator of budget referendum. He was asked to step up to plate – he did – took on the roll. Helped, hopefully work thru smoother process with it. Learned a lot as well – experienced the separation between two districts. Head moderator first go round was good plus.

Personal strengths elaborate on? Personal strength wise – committed, proved that with moderator aspect. Background education thinks business background helps to have financial aspects help. Also think experiences with work and giving vision to company can help. He can occasionally be caught fishing locally.

Know about time put in on board of selectmen and liaison to several boards – takes a lot away from family – are looking for young people volunteers. How does wife feel about all this? His wife said good luck – think his family understands committed to it and they are willing to help and understand town needs to grow and lose separation – willing to sacrifice him to do so.

Three words describe self? Committed, trustworthy and honest.

Ms. Menard indicated it is the intention of board to reopen process by twelve noon on Thursday – special meeting to reconvene this item of the agenda and appoint a selectman. And conduct any interviews if there should be any.

The special meeting parameters for Thursday were discussed in general. It is the intent/goal of the Board of Selectmen to make that appointment at that meeting.

Motion: To return to agenda order
Made by Mr. Hayes, seconded by Mr. Simmons
ALL MEMBERS IN FAVOR. MOTION CARRIED

- B. Robert Maynard/Newberry Road Pump Station Assessment (Motion made heard out of order)

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C. Discussion/Action with Town Treasurer re: gas & oil expenses

Cathy Cabral came before the Board and provided back up to the Board. Ms. Menard detailed concerns of Board of Finance with budget for gas and oil that does never seem to sync at the end of the year ever. Time has been spent by several people trying to figure out what going on with gas and oil – how got to point of seems at end of year always off by what supposed to be paying vs. what got deliveries on. Ms. Menard detailed the process annually contact by East River Energy and what the process was. As well as the historical surplus of larger orders than what needed and the town is locked in by contract. So the town commits to order certain amount of oil and it is in surplus of what is needed. Those figures were detailed out loud.

Ms. Cabral indicated end of year either option to buy contract out – committed whether use fuel or not; or pay a liquidation cost which means pay an amount, lose fuel, but they sell it off. The liquidation cost is what historically has happened in town and has been split between the different accounts. Part of reason here – already brought up to let know this is a substantial amount of money and overrun accounts and go to town meeting. Options are to fill up all the tanks – in April usually fill tanks as needed, do not do continuous fill out of caution not overspend budget – but that gives excess fuel. She suggests filling tanks, paying fuel will overrun accounts, but cost less than paying contract price or paying liquidation fee and getting nothing for it. This will reduce the amount to pay at the end of the contract. Would like to do almost to end of year, then becomes year end transfer – get as close to year end as can, but price fluctuates and that presents problem. Hopefully if use it can reduce amount. This will be over budget and need transfer out of contingency to pay it. Thought is better to have product in tanks than pay for liquidating. Ms. Cabral also stated if buy product same situation next year, as already committed to contract. In the future there are alternatives to this. The fact that another agency did not use this contracted fuel and used alternative fuel was discussed and this promoted the excess fuel as well. The idea of next year budget process getting an estimated fuel use from agencies. The town will remedy this year and need to let agencies know they use fuel if on system. And going forward it will be better to underestimate than overestimate. Even if calculate 80% then go to market on other 20%. This will be a meeting held in the future to try to come to some agreement. This was an informational session but at some point the Selectmen will have to go to Board of Finance for an added appropriation and ultimately town meeting. Ms. Cabral stated she has work yet to do to get that figure set and fix this process.

D. Discussion of East Windsor Ambulance funding for 2009-2010

Chief Tom Clynch, Asst. Chief, Josh Recker, Dan Starvish and Kevin Artz Ambulance members were present.

The ambulance contract is in effect until June 30 (it was signed 7/10/07). There had been discussion of possible reduction in funding. Mr. Recker stated the East Windsor Ambulance is not for profit but is a 501c3. The profit goes to payroll and equipment, not stocks, no money – they disclosed everything at the previous meeting had with Selectmen and put everything out as always have – nothing as changed as an organization for past 25 years.

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Mr. Recker further stated it was never the Associations' understanding the contract was to get on feet and be separate from town. The contract was a way to keep the Association from coming back to ask for money for ambulances – to simplify the process.

It was stated that Linda Roberts original plan make contract at time serious issues with ambulances – ambulances were older and response times down – they needed more to do more, entered contract for set amount, town came up with, set guidelines. Ed Filipone renewed it and never asked for more or less. The Association does not operate as business, but operate as ambulance to provide service for residents. Misconception is that because bill must be business - \$125K of town funds is not enough to run the ambulance – one ambulance alone – cheaper lower end ambulances and start at \$70k when here for presentation rushed at end – did not get to go over all financial. They are 501c3 – all software purchases thru donations – all information is in the audit given every year – which is required as part of contract. They do that every year as required.

Chief Clynch stated the contract was more to say town is giving certain amount of money to an association, just like done with cemetery or library – give people money and real identification of liability. Mr. Clynch stated for town this was a great opportunity to carry own liability insurance and identify Association as contractor, so suit against association as medical claim, not associated with town of East Windsor. That was intent, not to deem them as a business.

Ms. Menard said no one is bastardized this business. Further discussion ensued regarding the fact that the Association was excluded from being a part of the town public safety committee – and the items they read in the minutes regarding the ambulance excluded from participating as the for “profit organization”. The Association provides a high level of service now looking at they don't belong on it any more – ludicrous – four year project done as group on the public safety – it includes the Ambulance. The contract shows the Association participates in the town wide safety activities – training, mass casualties. There is a big misconception over what thought done and what they do. They do more than ambulance calls. For instance, radio reprogramming for park and recreation, resupplied police department medical supplies – not in contract – went above and beyond and intent to serve the town. The Association does this at a much cheaper rate from town budget standpoint, but financially as employees.

Mutual aide for surrounding towns benefits East Windsor greatly – revenue allows to provide East Windsor- they could never provide current service for \$125K. Mr. Recker detailed the ambulance services, four paramedic level ambulances. The State sets the rates for billing, not the ambulance.

Ms. Nelson spoke up and to detail some of this is being taken out of context. Financial issue with town – budgets made and cut – that is the issue. The Selectmen need to look at being able to cut the cemetery, cut the library, cut the police and cut the fire – why ambulance the only one not cut. All received a hit. Initial thought was 20% and board of finance came back and said 10% could be done. To sign contract without the approved % cut is not fiscally responsible.

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Mr. Recker went on to state in the last four years the Association has not asked for any more money – all other agencies went up 3%. The Association never asked for increase – get growth from call volume. They asked to stay level – take growth from patient care recovery and collections. That has been done for four years. Prior administration thought that great. Particularly \$17.50 an hour paramedics – they make more at other towns and EMT's make \$11.50/hr. They have done it for years and accepted and never been cut.

Mr. Recker queried why they do this as no one appreciates what they do? Ms. Nelson indicated they could not do without the appreciation of all agencies that it takes to make a town and the Boards would love to give a million to the Association and everyone behind you. It is also understood the Ambulance has opportunity to get an extra patients and ways to compensate – but most of the people in town don't have a revenue basis.

This service is not run on \$125,000 and Mr. Recker felt, with due respect, he does not think the board understands the service they get for the price. All these members on Ambulance grew up here and are dedicated to town. Mr. Simmons inquired if there is another way to think outside box – they pay no rent and repairs have been made. The lease is a separate and \$1 a year. Ms. Menard stated the immediate problem is that the budget has passed and the Board of Finance provided funding -10% for fire departments and ambulance. So that is \$12,500 less than previous contract. The money is gone and not coming back. Mr. Recker stated if money gone out of budget and not coming back – need to send strong message – as this is a morale issue with personnel. These members grew up in town – and others are going to take as a slap.

Ms. Menard countered if we want to go to discussion of morale – talk to town employees about morale and what had to take. If the Board gives back 10% then all the other departments will line up as well for their items cuts...then the budget process fails. They have asked all to pitch in – town employees have pitched in and it is painful here as well. Ms. Menard indicated this has been tough across the board – not just an agenda against ambulance services. There have been cuts in trash services – they have looked at all services. When Ms. Menard first spoke with Mr. Clynch he must recall she asked him to pitch in – was not regarding anything about value of service – it was tough times asking everyone across the board.

Mr. Hayes apologized about not including ambulance in public safety meetings – that will be corrected. Reason went to four times a year and smaller is there was an inability to get quorum. When discussed initially cutting – as the board thought it was ambulance was a business. Board did not ask for 501c3 and maybe not told that – now they know. Board of Finance cut 10% - still thinking it is a business. Hayes maybe other items can help with this item. Mr. Hayes hope have a better understanding of how them not on committee and they are appreciated, know have to go out of town, but East Windsor still covered. It was stated that since 1978 this has been a nonprofit service and that has not changed – do not understand how contract seen as stepping stone to a business. This year went through whole process that town agencies have to make – as was not case in this year. The presentations were made – Denise stated the presentation was Mr. Clynch's choice – as he stated he wanted to make it known that the 20% cut would do. One heart monitor is \$25,000 and they have \$5,000. Ms. Nelson indicated they are taking it personal – a percentage is taken from

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everyone. State rates went up for everyone. 15% of service provided cannot bill for, write off – about \$100,000 year instantly wrote off.

Ms. Ménard stated there needs to be consensus what to do. Asked if can live with 10% decrease and Mr. Clynch preferred not to – if Town not sign contract – no leverage – they are going to continue doing good work.

Menard for things like education, roads, policing – have said not buying as much this year – not buying new equipment, not paving roads usually do, this year laying off teachers, this year less programs across board. This is an exceptional year. That is what this is about, has nothing to do with service ambulance provide. Mr. Recker stated not taking criticism. If cut trash service – there is a decrease in service. Cut ambulance the services don't say. Reduce budget now – come next March/April they cannot come back for added appropriation – like town agencies can. If fire department is short - they can come back for added appropriations.

Mr. Recker went onto explain what has been done for town and the Association never asked for more money – feel there is no more to cut. Before contract Association got workers comp for free – now they pay for it.

The idea that this could be one year contract was mentioned, but Mr. Clynch stated the idea is for long relationship. Ms. DeSousa, Chairman of the Board of Finance commented that the time for the Association to come with concerns, budget workshop or board of finance as it was well known 10% across the boards and letters were received. Nothing was received from ambulance. This is a contract between ambulance and selectmen. There are all new players now and the Ambulance could have stepped forward and contract ran out June 30, 2009. Mark Simmons asked if they read newspapers. It was responded that the Association in last four years have been pretty steady – and they are saving town money. Mark Simmons - Economic tea leaves have been saying in bad shape – and worse, not sure what get next year. Everyone was cut. No contract was in front of the Board of Finance and it was cut. The ambulance presentation to Selectmen was on April 14 and Ms. Menard spoke to Mr. Clynch a month before that.

It was felt if the Ambulance contract continues maybe it should be reviewed before budget time. Denise stated this unfinished business needs to be fixed by end of month. The Town appreciates the Ambulance this needs to be addressed Mr. Clynch is available next week for meeting.

E. Approval of Tax Refunds

**MOTION: To approve the tax refunds in the amount of \$7,214.82 as recommended by the Tax Collector
Made by Mr. Hayes, Seconded by Mr. Simmons
ALL MEMBERS IN FAVOR. MOTION CARRIED**

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- F. Interview and Discussion of Brian Cullinane application. (added agenda item)
(Motion made to hear out of order)

- XI. BUDGET MATTERS
 - A. Budget Discussion

Ms. Menard will be discussing year end matters with the Treasurer.

- XII. EXECUTIVE SESSION

- A. Pursuant to C.G.S. Section 1-200 (6) regarding pending litigation
To Include Town Assessor - No session held
- B. Pursuant to C.G.S. Section 1-200 (6) regarding pending litigation

MOTION: Pursuant to C.G.S. Section 1-200(6) to enter into Executive session at 10:15 p.m. to include Board of Selectmen and Marie DeSousa, Chairman of the Board of Finance.

**Made by Ms. Nelson, seconded by Mr. Hayes
ALL MEMBERS IN FAVOR. MOTION CARRIED**

**MOTION: To come out of Executive Session at 10:46 p.m.
Made by Mr. Hayes, seconded by Ms. Nelson
ALL MEMBERS IN FAVOR. MOTION CARRIED.**

- XIII. ADJOURNMENT

**MOTION: To adjourn at 10:47 p.m.
Made by Mr. Hayes, seconded by Ms. Nelson
ALL MEMBERS IN FAVOR. MOTION CARRIED**

Respectfully submitted,

**Cynthia D. Croxford
Recording Secretary**