

I. TIME AND PLACE OF MEETING

The meeting was called to order on Tuesday, October 6, 2009 at 7:40 p.m. Initially the meeting was held at the Broad Brook School due to the size of the audience and after a brief recess when the audience thinned it was reconvened at 11 Rye Street, Broad Brook

II. ATTENDANCE

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

**MOTION: To take agenda item New Business A1 Discussion of Trash & Recycling Matters - Mobile Home Trash & Recycling Services - out of order.
Made by Mr. Hayes, seconded by Mr. Pippin
ALL MEMBERS IN FAVOR. MOTION CARRIED**

Ms. Menard, with the consensus of the entire Board of Selectmen, read a prepared statement to the audience. To follow is that statement for these minutes, as read:

A bit of history: in the Spring of 2009, the Bd of Selectmen faced not only declining revenues but a mandate from taxpayers of no increase to the Town's budget. This meant a certain need to reduce spending. Many possible ways of reducing costs were looked at. With the trash contract up for renewal, it was an opportune time to discuss possible ways of reducing costs associated with the current way trash was handled. It was consensus of the Selectmen that the service provided by our current trash company and their initial proposal for extending our contract warranted working on extending the current contract with certain targeted areas of change. Strategies on what the Town would agree to were discussed in executive session. The Board of Selectmen discussed their goals in open session with the Board of Finance during the budget process and I periodically updated the Selectmen on that and other contracts, usually a mere statement that trash contract negotiations were continuing or we're almost to where the Selectmen thought was reasonable, certainly nothing that would be noteworthy in Selectmen minutes nor anything secret.

Specific to mobile homes, the comparison was made to me, and I passed it on to the Selectmen, that mobile home owners could be seen more like tenants in a mobile home park rather than single family home owners since the mobile home owner paid "rent" to the land owner and the land owner could pass on costs to the mobile home owner if they chose. It is safe to say that the Board of Selectmen stands corrected on using that comparison and feels the mobile home owner should receive trash services as part of their tax benefit.

On to today - All American's analysis after the site visits was:

- *Laurel View could handle automated service with no modifications*
- *Park Plaza and Henry's did not ask for an assessment and would be difficult to provide automated*
- *With some modifications, Shonosky, Balch, Red Hill and Lata could handle automated collection*

I have had a number of conversations with representatives of mobile home parks and the trash company. The trash company has suggested the following:

- *Add Laurel View to residential pickup (66 units) at the cost of \$710 per month (\$8,520 annually) All American has enough carts to start that by October 15.*
- *Provide front load service and manual recycling at Park Plaza, Henry's, Lata, Shonosky, Red Hill and Balch's (213 units). They will charge the Town \$2,530 per month (\$30,360 annually).*
- *Total annual costs to the Town of \$38,880*

The trash company recommends this as the best alternative for the mobile home residents and the Town, trash is free to the mobile home owners, there is no need for alterations to any of the park properties, there is concern that residents will be unhappy with 2 carts at each mobile home and finally, there is still a small cost savings to the Town, an increase to our current approved budgeted amount for trash of \$38,880.

The conclusions are:

- *We should provide trash service to all the mobile home parks.*
- *Original projected cost savings of \$36,400 was understated because it did not include the cost of disposal "dump fees" of approximately \$10,645 for a total annual cost to the Town of \$47,045 (\$3,920 per month).*
- *We need to keep in mind that the rate for automated that we received was partially because we were able to reduce collection to 4 days – adding significantly to the routes may require further changes to the contract*
- *Finally we also need to remember that the Town has extended and is currently paying for manual trash removal service for the mobile home parks through Oct 15.*

PUBLIC INPUT

Jacqueline Taylor, 70 Elm Street, Red Hill

It was inquired if there would be recycling.

There will be one recycling bin, front load (dumpster) in the park.

James Balch, Owner

Mr. Balch apologized for his confusion, but when he met with All American they said a little bit work and Mr. Balch said it would be done in ten days and then the Park could pick up automated. Now not going to do that automated?

Ms. Menard detailed that the mobile home parks can make changes to do automated. However, All American Waste is skeptical on how the changes will come together and the timeline will certainly not be done by next week when contract is up. It was suggested that all try front load for now and see what works in the meantime.

Ms Taylor detailed concerns about the handicapped and the requirement of getting garbage to a dumpster.

Linda Klemas 222 Fairway Drive – Balch Mobile Home Park

They don't want front load dumpsters.

Regina Liauppa, Rose court, Laurel View Estates

She commented that as one approaches Laurel View there are apartment houses and townhouses with dumpsters and it looks like a pigsty.

Ms. Menard indicated that Laurel view estates with no modifications can accept automated serviced – 66 units will have automated immediately. As far as other parks, there are changes that need to be made to all parks. The trash company is skeptical that even doing those changes automated pick up will work. In the meantime the town is proposing putting dumpsters in, at the towns cost, to pick up trash. It will not be as it is in apartments or as they have experienced in the past as it will be picked up every week and the correct sized dumpsters will be used.

Ms. Taylor contributed that it would be better reversed, with the recyclables in front, not the dumpsters, as people have more garbage. Ms. Menard detailed issues expected in the wintertime, where a spot may seem ideal now, but in the winter it is not ideal.

Laurie Goodhue, Redhill Park

Where are dumpsters put in park? Ms. Menard indicated the trash company will speak with the owners of park. Ms. Goodhue added information about collection on a narrow road, specifically, Pleasant Valley Road in South Windsor. She went on to inquire what the specific changes were in Red Hill Park and also inquired as to Ms. Menard's husband's affiliation with the town was, as she did not think it was right Ms. Menard said she and her husband went through park.

Ms. Menard stated that she lives in town. They went for a ride and in previous statements she was not conveying her husband as an expert in trash, nor in mobile home parks, nor an employee, nor anything town affiliated. He is her husband and came along as she did town business. She did not ever say he was part of the town involvement.

It was question Red Hill Park needed specifically. Ms. Menard read out loud the detailed specifications of changes needed provided by All American Waste.

Ms. Goodhue felt her questions were not answered.

Tara Surber, 5 Rose Court

She was looking for clarification of mobile home owners paying mortgage not rent and was also inquiring about the increase in the town budget to accommodate this. Ms. Menard detailed this addition will be an increase for what the town budgeted. For example, say a person budgeted \$1000 year on electricity, but the electric company added to the service for a \$500 higher cost – now \$1500 cost - you paid more than budgeted.

Attorney Leonard Jacobs, Manchester, CT

When the gentleman from All American Waste met with owners on Thursday they said Red Hill would be okay after a couple changes. Attorney Jacobs questioned when those few little things are accomplished, then will they immediately come out look at it, determine the changes were taken care of and take steps to implement the automated?

Ms. Menard indicated the dumpsters are temporary, a way to get from point A to point B. When the list of items are taken care of, the trash hauler will contact the Selectmen's office, and then the Selectmen can institute a process and in reasonable time get the park on line with the arm system. Denise also stated once all of the noted changes are accomplished, then All American Waste needs to order the carts. Attorney Jacobs reiterated, and Ms. Menard agreed, that the town commitment is, as soon as ready all involved will work as quickly as they can to bring the mobile home parks onto the modern system.

Carol Lee, 56 North Main

It was indicated that four family home issues will be discussed later in the meeting.

Edith Mailloux 207 Fairway Drive

What if any modification at Balch Park? Ms. Menard read out loud the detailed specifications of changes needed provided by All American Waste.

Judy Thompson, 10 Elm Street, Red Hill Mobile Home Park

She stated she owns her own home, pays a mortgage, pays taxes, and pays the same mill rate. She resents that they are called "those people" or "them". She does not want taxes to go up either but somehow something happened when eliminated mobile home owners to save the town money. That is her opinion.

Margaret O'Brien, Balch's Mobile Home Park

It was detailed that she took pictures every minute the trash company representative was in the mobile home park so one can see the good part and the bad part. The biggest utility truck was there and they have pictures. When Mr. Balch repairs the little section they will have pictures and then the town can give them both barrels.

Ms. Menard reiterated once they receive notification of complete changes, All American Waste has to get the barrels. Mr. Balch said the work will be finished one week from today.

Nick Lata, Lata's Mobile Home

Mr. Lata indicated he always had a dumpster at his park. Ms. Menard detailed concerns that the suggested changes might not work come wintertime and that Mr. Lata might not want to make the change and then find mid winter have problems. A dumpster could be there indefinitely. At Mr. Lata's request, Ms. Menard read out loud the detailed specifications of changes needed provided by All American Waste. Ms. Menard thought Mr. Lata and All American Waste might like to meet again. Mr. Lata felt as long as there was a dumpster, if it was there indefinitely it did not matter.

Julie Cortese, Shonosky Mobile Home Park

At Ms. Cortese's request, Ms. Menard read out loud the detailed specifications of changes needed provided by All American Waste. Ms. Menard felt maybe this site might prefer a dumpster. Ms. Cortese said no as there are handicapped people and she did not want them having to walk on ice.

Jackie Gagne, Red Hill Mobile Home Park

Next week no trash come pick up? Ms. Menard stated next week Red Hill will have a dumpster.

Linda Klemas 222 Fairway Drive – Balch Mobile Home Park

She reiterated that Mr. Balch will work with All American Waste and would like to have this done next week. They would like to have cans ordered as soon as possible – how fast can accommodate? Ms. Menard did not know how long it takes All American Waste to provide the cans and Ms. Menard would have to get that answer directly from All American Waste.

Judy Buckingham, 39 Elm Street, Red Hill Mobile Home Park

She stated that she feels the Board answered questions and really appreciates all work done to accommodate all of us.

Attorney Hallisey also wanted to say it was a pleasure to see a Town board take an issue, think about it and come back and try to solve it.

Ms. Menard thanked everyone present and appreciated the acknowledgment. At the beginning the Board of Selectmen were accused of being closed minded and she hopes all can see that is not the case.

MOTION: To accept the Mobile Home Trash & Recycling Services recommendations as presented, (detailed on page 2 above, in italicized bold font.)

Made by Ms. Simmons, Seconded by Mr. Hayes

ALL MEMBERS IN FAVOR. MOTION CARRIED.

MOTION: To recess briefly at 8:10 p.m. to move the meeting across the street to 11 Rye Street.

Made by Mr. Hayes, seconded by Mr. Pippin

ALL MEMBERS IN FAVOR. MOTION CARRIED

Reconvene and back to agenda order at 8:15 p.m.

III. ADDED AGENDA ITEMS - none

IV. PREVIOUS MINUTES

A. Approval of Special Meeting Minutes of September 28, 2009

MOTION: To approve the special meeting minutes of September 28, 2009, as submitted

Made by Mr. Simmons, seconded by Mr. Pippin

ALL MEMBERS IN FAVOR. MOTION CARRIED

B. Approval of Regular Meeting Minutes of September 15, 2009

MOTION: To approve the regular meeting minutes of September 15, 2009, as submitted

Made by Ms. Nelson, seconded by Mr. Pippin

ALL MEMBERS IN FAVOR. MOTION CARRIED

V. PUBLIC PARTICIPATION

William Loos, Melrose Road

Mr. Loos was concerned about the town not getting public stimulus funds as all the surrounding towns seem to be. East Windsor is sitting with no money coming in with projects the want to do. There is a Senior Center that has had a 25 year lease with the fire department. It was thought that by the time the lease was up the senior center would be out of fire house and have its own building. He also inquired if anything was being done with the Millbrook Condo site. Ms. Menard indicated during public participation the Board takes comments and does not respond. She invited Mr. Loos to come to her office and she can provide him information regarding both of his concerns.

Charles Ammons, 5 Allen Drive

He spoke about large items that the town used to pick up in trash collection that no longer exist and he has been given no satisfactory answer how to get rid of items. The Board claims to save on taxes yet people have to pick up their own items and there is not a solution as far

as he is concerned. Ms. Menard indicated during public participation the Board takes comments and does not respond. She reiterated that the Board is always open minded, but for now that is what the service is. It was also stated that Shoham Road is open on Saturday. Mr. Ammons indicated he has no way to get the items to Shoham Road and the Board is sitting there and not helping as road blocks are thrown up as far as he is concerned. Trash on the road is not attractive. He also spoke to an ordinance for people take care of their property. He has asked the question and been told “the town is thinking about it.” In the meantime homes are foreclosed and things look bad. There is no down the road – there is now.

Later in the meeting he also wanted answers as to how much “these monstrosities” (i.e. garbage / recycling containers) provide for costs savings and when he can state his piece and be informed. The Board of Selectmen schedule of meetings was stated.

Karen Gaudreau, Town Clerk, Depot Street

She provided that – as a town employee – she is aware of a new law in effect October 1 allowing for towns to know owners of foreclosed homes so the town can request new owners to proceed with clean up. That is a new law. Ms. Menard detailed that the law went into effect October 1 and the ordinance to enforce that law is being reviewed.

Marie Desousa, 10 Rice road

She commended the board for taking another look at a decision that had been made and acting accordingly. In the interim, as the mobile home parks get on line, maybe there is a way to work with the school system or various organizations who have community service requirements. As there is a concern for safety for elderly maybe an outreach to those organizations would be appropriate to see if those organizations can help individuals with trash to the dumpsters while there is a need for assistance.

- VI. COMMUNICATIONS – the following were for the boards information:
 - A. Invitation to participate in the East Windsor Walk to School Day
 - B. American Heritage River Commission Correspondence
 - C. East Windsor Historical Society Correspondence
 - D. Connecticut Municipal Budget Adoption Experiences FY 2009-10
 - E. Connecticut Labor Force Data/August 2009
 - F. CCM/Volunteer and the Federal Fair Labor Standards Act

MOTION: To suspend selectmen reports to the end of the meeting.

Made by Mr. Hayes, seconded by Mr. Pippin

ALL MEMBERS IN FAVOR. MOTION CARRIED

VII. SELECTMEN’S REPORTS

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

VIII. BOARD AND COMMISSION RESIGNATIONS & APPOINTMENTS

A. Resignations:

Nick Macsata, from the Veterans Commission & Zoning Board of Appeals

MOTION: To accept, with regret, the resignation of Nick Macsata from the Veterans Commission & the Zoning Board of Appeals.

Made by Mr. Simmons, seconded by Mr. Hayes

Discussion: It was noted that Mr. Macsata was reassigned to Massachusetts and the Board wished him well.

ALL MEMBERS IN FAVOR. MOTION CARRIED.

B. Re-Appointments: None

C. New Appointments:

Zoning Board of Appeals

Jose Giner (D) Alternate, four year vacancy to expire 11/22/2011

MOTION: To appoint Jose Giner as an alternate to the Zoning Board of Appeals to fill a four year vacancy set to expire 11/22/2011

Made by Ms. Nelson, seconded by Mr. Hayes

Discussion: Mr. Pippin expressed concern. He agreed the qualifications were appropriate but he did not feel it was a good idea to have a person sitting on this Appeals board who is a town planner in an adjacent town. He felt it would be like putting an acting police chief in another town on the police commission. Ms. Menard noted the reasons for doing this quickly, the party affiliation requirements for this vacancy, the timeframes and concern that if this is not done by the 35th day of resignation it has to go to special election. Mr. Pippin felt there were many talented Democrats to fill the position. He gave the example of a potential conflict as he saw it: for example, if there is an appeal on a piece of land that is in East Windsor and Enfield. Mr. Pippin also felt East Windsor already had a professional town planner. Ms. Menard detailed that an alternate could step down from voting on a topic like that. Mr. Simmons provided similar input and question as well. Michael Ceppetelli, current chairman of the ZBA, spoke briefly. He knows Mr. Giner and felt he is qualified and could not see a problem with him serving as an alternate on ZBA. He noted for the selectmen that the Board is an appeals board and they do not set precedent only act on appeals. As an appeals board member the interaction with the current town planner would be minimal. He acknowledged Mr. Pippin's point and on the surface it should be considered, but Mr. Ceppetelli knows how the appeal process works and it will not be a factor. Mr. Hayes was interested to hear Mr. Pippin's concerns and felt that if the current chair of the ZBA saw no conflict, then he agreed that Mr. Giner could be appointed. Ms. Nelson noted it can be a challenge to find qualified volunteers to serve on land use boards and thought Mr. Giner would make a good candidate.

VOTE

In favor: Hayes, Nelson, Menard

Opposed: Pippin, Simmons

MOTION CARRIED

D. Board and Commission Current Vacancies (See Attached)

IX. UNFINISHED BUSINESS

A. Recommend to Town Meeting establishment of a permanent Volunteer Incentive Committee

Proposal for permanent Volunteer Incentive Committee document reviewed.

MOTION: To establish and recommend to town meeting, if needed, a permanent Volunteer Incentive Committee with charge, membership and organization as detailed in the attachment to these minutes (electronic .pdf file)

Made by Mr. Pippin, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

B. *Pilot Plan for Park Hill (postponed until October 20th)

C. *Discussion and Action regarding Snow Removal Ordinances (October)

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

X. NEW BUSINESS

A. Discussion of Trash & Recycling Matters:

1. Mobile Home Trash & Recycling Services – *addressed previously*

2. Four or more households

Ms. Menard detailed that the practice, as long as the contract has been in place, which goes back a number of years, prior to Ms. Menard's term in office, is that the Town only afforded the service of trash removal to three or less family homes. In practice it did not always happen because of having no way of distinguishing how many bags of trash belonged to how many households. The town is only paying for up to three family homes. There are some four family homes that currently registered with trash hauler individually and have taken the option of paying for the service themselves. Now that carts delivered when came to four family stopped cut off at three families. If go to four family houses, where do you draw the line?

PUBLIC PARTICIPATION

Carol Lee 56 North Main Street

When houses assessed for taxes the trash pick up was considered in that assessment. Where is it written only up to three family houses that the town is paying for trash. Is it something

drawn up by the All American Waste company. Ms. Menard indicated she could not find a written town policy to this effect but it is in the trash contract. Ms. Lee indicated the town has been picking up trash right along – if cut off at three family; that’s fine, but give the four family homes three barrels and anything else they pay on their own. No barrels were dropped at all at four family homes – because town is not paying for four family homes, but she sees four families with the barrels. Ms. Menard again indicated, that some four family home owners have opted to pay for the automated trash independently through All American Waste.

Ms. Lee indicated that ten houses are affected by this and asked that the Selectmen consider that or at least three barrels for four and five family homes. Later in the meeting she detailed the cost per resident based on what was stated at the recent mobile home meetings regarding this same issue – this is for ten houses.

Gregory Heineman, 7 Church Street

He detailed that he owns properties in every town North of Windsor and in every town he has four family homes that receive trash pick up. He does not understand why four family is the cut off. Many times throughout the discussion he reiterated that he could see this in regards to five family, which are considered commercial units, but four families are considered residential in the State of Connecticut. If there are only ten residences this should not be a big burden on taxes.

Discussion ensued regarding the estimated cost per four family household, including the number of barrels. Also discussed was unsightly dumpsters in the residential area. He also mentioned that these four families often house one person due to the fact that they are small. For example he has one that is all of a 600 s.f. apartment and that is very little trash to pick up. Five units he is required to pay for as a commercial unit. He felt that they should not be separated out from anyone else – four family – they are taxpayers too. These are great looking buildings and all tenants happy. With no trash collection, he has to raise rent, people move out – it’s a vicious cycle. He understands the town’s point of view but he is asking for some reconsideration at this point.

Ms. Lee inquired if the Town is charged per barrel or by ton. Ms. Menard indicated it is both.

Mahmoud Hussein, 5 Church Street

Every year there is a raise in taxes. After all these years, there is a sudden change to the rules. He wants the board to consider citizens, voters and taxpayers who pay a lot of taxes and should be taken care of like everyone else. The Board cannot change the rules because there are only three or four of them asking. If they change the rules for some, they need to change them for everyone else. They need to be respected by everyone else.

Ms. Menard reiterated this is not a change in policy. If the trash hauler had known these were four family houses they would not have been picked up in the past. This is a policy inherited as the trash contract was inherited. The Board could not predict these small things

happening and there are certain idiosyncrasies with change. The Board is willing to work with people but again it is at additional cost to the town.

In response to a comment by Mr. Heineman, Ms. Menard stated that other four family houses have called All American Waste and were added to automated service, at homeowners expense. Ms. Menard does not know the expense but she suggested he call all American Waste. She also mentioned that All American Waste sent a letter to the four family owners in this regard.

Mr. Hussein felt All American Waster would charge \$300/\$400 month. Ms. Menard had to remind him its not for a dumpster, for the same trash barrels, at the owners expense. Mr. Hussein indicated four families are charged taxes – sewer and residential – four family entitled to trash collection. This town raises taxes every year and he does not see every town raise taxes every year. The Board is elected to help people, the garbage should be taken care of by the town.

At this point further discussion and opinions were given regarding the policy of three family or less that is written into the trash contract. Mr. Heineman was wondering how East Windsor has a contract that is different from every other town he has done business with North of the river. It was recommended by the audience that someone review the policy so all are treated fairly. Mr. Heineman felt if trash was not picked up the four families would start to look horrible. He does not understand why they are separated out, four families are residential, not commercial.

BOARD DISCUSSION

It was mentioned that the Board wants more information, including the specific cost of adding four families to the towns program. The Board reiterated that this is a learning curve and as learned recently with the mobile homes, information is important. The Board is open to communication. A cost analysis needs to be provided. The Board discussed the status of budgets and the economy; and the fact that garbage will need to be looked at again during the next budget session. To make a decision regarding four family homes tonight would be premature – the board needs all the facts to look over. Mr. Simmons detailed that a municipality has two choices – raise taxes or cut services.

Discussion ensued regarding four families serving as a business according to the tax department. The comparison to mobile home parks and four families was made. Ms. Lee felt that mobile home park owners are a business as the owner of the park can close tomorrow and those mobile homes have to leave. Ms. Lee further appreciated the fact to keep taxes low, and understood cutting services, but this puts a hardship on a postage stamp lot. She may have to put a dumpster in there – if that is cheapest way – pick up monthly rather than weekly.

The Board then discussed what was currently going on with these homes in terms of garbage and potential garbage pile up, as they have not had any garbage service. Ms. Lee did not receive any notification from All American Waste. She learned when a tenant called to ask

what was going on with the garbage. Ms. Menard hoped that every four family home owner took care of managing the trash or health department will likely be called. Ms. Menard apologized for this being in limbo as it was a situation the Town did not know was going on. Nothing was changed as far as the trash contract for four family homes, as far as town knew they never paid for them, so no trash was collected at those locations. Ms. Menard did state that she is aware of properties that have trash on front yards and hopes the owners take care of that.

For the next meeting Ms. Menard will look at the difference between three and four family considered residential; three barrels vs. four barrels; and the cost to add service to four family homes.

MOTION: To postpone this item to the next meeting.
Made by Mr. Simmons, seconded by Mr. Hayes
ALL MEMBERS IN FAVOR. MOTION CARRIED.

3. Recycling for Five Corner Cupboard

This organization provides a valuable service to community, which at end of day provides so much for residents. It is a not for profit organization. The recycling barrel is not for the church but only for the five corner cupboard which provides services to residents. They are not asking for trash pick up - only recycling,

MOTION: To provide recycling service for the Five Corner Cupboard.
Made by Mr. Hayes, seconded by Ms. Nelson

Discussion: Their services are needed today more than ever and there is lots of cardboard.

ALL MEMBERS IN FAVOR. MOTION CARRIED

B. Discussion of Walking Trail Proposal

It was asked if this could be put on another agenda.

MOTION: To postpone this item to another regular meeting.
Made by Mr. Hayes, seconded by Mr. Pippin
ALL MEMBERS IN FAVOR. MOTION CARRIED.

C. Discuss and recommendation to Town Meeting

Michael Ceppetelli, Chairman of the Inland Wetland Commission and Robin Newton, Assistant Town Planner, Zoning and Wetland Enforcement Officer came before the board.

1. Proposed Revised Wetland Violation Citations & Procedures Ordinance

The board reviewed Ms. Newton's memo and revised ordinance. The history of this item before the board, including removing the schedule of fines out of the body of ordinance for ease in updating fees, was discussed. At the last town meeting the ordinance was voted

down. It was suggested to put in the ordinance the nature of violation, but not to detailed the specific fee associated with it. Now one can see what kind of violations get you a citation. Another issue brought out at town meeting was ultimately having the property owner responsible, that was changed to violator now.

The appeals process and fines before, during and after appeal were discussed in detail, including that zoning enforcement and wetlands enforcement differed. The use of discretion in this process, as well as the various checks and balances with the Commission and the Enforcement Officer were detailed. The Commission of seven have oversight; and there is an appeal process. The appeals hearing officer is appointed by Board of Selectmen.

MOTION: To recommend to town meeting the Proposed Citation Ordinance for Wetland Violations dated October 1, 2009, as presented Made by Ms. Nelson, seconded by Mr. Hayes ALL IN FAVOR. MOTION CARRIED.

2. Proposed Revised Citation Ordinance for Abandoned Motor Vehicles, Motor Vehicle Parts and other Unsightly Material

Ms. Newton was filing in for the Deputy Chief on this item. The language “unsightly materials” was removed so this is not confused with a blight ordinance. Mr. Pippin felt this is the same ordinance that has been rejected four or five times at town meetings. He detailed several issues that have remained with this ordinance. It was agreed that the Deputy Chief needed to be present at the next meeting to discuss these areas of concern with the selectmen.

MOTION: To postpone this item to the next meeting. Made by Mr. Hayes, seconded by Mr. Simmons ALL MEMBERS IN FAVOR. MOTION CARRIED

- D. Request to approve Tax Office Fees

Samantha Lee, Tax Collector came before the Board. She detailed the previous practices and policies on returned payments, the procedure of payments on line and checks, as well as the work that goes into reacting when there has been insufficient funds on a payment.

She was requesting the Board authorize increasing the fee to \$25 and adopt policy so can put fees on every returned payment. Ms. Menard detailed her initiative to get these various policies in writing and that this policy should be clear, so there is no discretion in implementing it.

Whether the transaction be electronic or a check, it takes the same amount of time to correct it. The difference in charge explanation is that the lesser charge is a mistake was made; i.e. an account number was input incorrect, but \$25 is for deliberate no money in account. Interest is not waived in this instance. In July and August there was almost \$16,000 in returned checks and ACH's. This increase in fees has to go to Board of Finance. It was

suggested Ms. Lee use the memo she presented to the Board as the template for the written policy.

MOTION: To ask that the Tax Collector draft/create a written policy regarding Tax Office fees and to recommend to the Board of Finance the increased Tax Office fees as presented.

Made by Mr. Pippin, seconded by Ms. Nelson

ALL MEMBERS IN FAVOR. MOTION CARRIED

E. Authorization to extend the Town Clerk's agreement with New Vision System Corporation

Karen Gaudreau, Town Clerk came before the board. New Vision System is the land record financial system. The town has had a five year lease with them and is happy with this service. They added the dog licensing in the spring. The first lease included fees for training. There is no longer a need for training so this year the contract is for the same amount of money but it is going to include a new public work station for public to come in and research land records. New Vision System provides the hardware, the software is already leased, at the same cost. The only additional cost to the town is that they will need to run a computer line to this new public work station. That will give the public two work stations, which will be beneficial to the residents. Ms. Gaudreau was asking the Board to authorize Ms. Menard to sign the additional five year lease to keep these systems up and running. It is the same amount of money budgeted the town is getting more. Also this lease allows for part in disaster recovery. That is, all records saved on town server, New Vision Systems saves it off site at their location, so if anything happened to server there is back up. Currently Ms. Gaudreau has land records from 1978 forward in system and she would hate to lose that and input it all over again. This contract includes that service as well; installation is included in the cost.

Ms. DeSousa, Chairman of the Board of Finance inquired about the hardware being given and the software as a continuation of what the town pays for currently. Ms. Gaudreau outlined that the monthly payment stays the same there is no increase, before there was a training piece. Carol Madore, Assessor was in the audience and contributed that this system is phenomenal. It allows the Assessor user access and it assists each department throughout town hall. It also continues the goal throughout town hall to have the ability for town residents to be able to access as much info on their own.

MOTION: To authorize the First Selectman to extend the Town Clerk's agreement with New Vision System Corporation as presented.

Made by Mr. Hayes, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

F. Approval of International Walk to School Month Proclamation

MOTION: To proclaim October the International Walk to School Month, as presented.

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

ALL MEMBERS IN FAVOR. MOTION CARRIED.

G. Discussion of American Heritage River Commission Proclamation

Ms. Menard recapped the huge amount of work this Commission has done this year and the numerous volunteers associated with the endeavor. She provided information regarding the boy scouts intent to do a community badge. Ms. Menard wants to recognize these volunteers somehow. Ms. Menard suggested these be recognized at a meeting on the 15th. Ms. Menard will draft a proclamation to be ready for the 15th and invited the Selectmen to attend the meeting where these folks are recognized.

MOTION: To authorize the First Selectman to draft a Proclamation commending the American Heritage River Commission and the volunteers that assisted them to thank them for their service to the community and present that Proclamation on the 15th.

Made by Mr. Pippin, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

H. Approval of Tax Refunds

MOTION: To approve the tax refunds in the amount of \$6,520.66, as recommended by the Tax Collector.

Made by Ms. Nelson, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

****SELECTMEN REPORTS – (addressed out of order)

Denise Menard, First Selectman – suspended to next meeting

Gilbert Hayes, Deputy First Selectman

- Board of Education: As reported in the newspaper, the CAP scores are improving, it is a slow process on the upswing.

Dale Nelson, Selectman

- Police Commission: walk thru of the department was interesting

Mark Simmons, Selectman – suspended to next meeting

Richard Pippin, Jr., Selectman

- He felt a letter signed by all members of the Board was in order as the East Windsor Band represented the town very well at Four Town Fair
- WPCA – the acting superintendent for Kevin Leslie turned in his resignation.

XI. BUDGET MATTERS – None.

XII. EXECUTIVE SESSION

Pursuant to C.G.S. Section 1-200 (6) regarding pending litigation

To Include Town Assessor

MOTION: To go into Executive Session at 9:50 p.m. pursuant to C.G.S. Section 1-200(6) regarding pending litigation to include Town Assessor, Carol Madore

Made by Mr. Pippin, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED.

**MOTION: To come out of executive session at 10:25 p.m.
Made by Ms. Nelson, seconded Mr. Hayes
ALL MEMBERS IN FAVOR. MOTION CARRIED.**

**MOTION: To approve the settlement agreement for National Amusements Inc. vs. Town of East Windsor in accordance with the Town Assessor's recommendation to reduce the fair market value of real property located at 105 Prospect Hill Rd. by 0.00% for the Grand List of October 1, 2007, by 9.76% for the Grand List of October 1, 2008 and by 22.73% for the Grand List of October 1, 2009.
Made by Mr. Simmons, seconded by Mr. Hayes
ALL MEMBERS IN FAVOR. MOTION CARRIED**

Pursuant to C.G.S. Section 1-200 (6) regarding contracts

No executive session held for this item.

XIII. ADJOURNMENT

**MOTION: To adjourn at 10:27 p.m.
Made by Ms. Nelson, seconded Mr. Hayes
ALL MEMBERS IN FAVOR. MOTION CARRIED.**

Respectfully submitted,

Cynthia D. Croxford
Recording Secretary

Attachment for Unfinished Business Item A Motion: pdf entitled "2009-10-06 BOS minutes attachment Volunteer Incentive"

*Starred items will not be discussed, but will remain on agenda pending receipt of additional information.