

**BOARD OF SELECTMEN  
TOWN OF EAST WINDSOR  
11 RYE STREET  
EAST WINDSOR, CONNECTICUT**

**MINUTES OF REGULAR MEETING**

**Tuesday, September 6, 2016 at 7:00 p.m.**

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

Members Present: Robert Maynard, Richard P. Pippin, Jr., Jason E. Bowsza,  
Steven Dearborn and Dale Nelson  
Members Absent: None  
Others: Kathleen Pippin, Paul Anderson, Denise Menard, Thomas  
Talamini, Rebecca Talamini and John Mathews  
Press: None

**I. Call to Order**

First Selectman Robert Maynard called the Regular Meeting to Order at 7:00 p.m., in the East Windsor Town Hall.

**II. Pledge of Allegiance**

Everyone who were in attendance, stood and recited the pledge of allegiance.

**III. Attendance**

Robert Maynard, First Selectman  
Richard P. Pippin, Jr., Deputy First Selectman  
Jason E. Bowsza, Selectwoman  
Steven Dearborn, Selectman  
Dale Nelson, Selectman

**IV. Approval of Meeting Minutes**

**Regular Meeting Minutes of August 16, 2016**

It was **MOVED** (Nelson) and **SECONDED** (Pippin) and **PASSED** (4-0) (In Favor: D. Nelson, J. Bowsza, S. Dearborn and R. Pippin, Opposed: None, Abstain: None) that the Board of Selectman approved the August 16, 2016 Regular Meeting Minutes as presented.

**V. Communications**

Mr. Bowsza commented that he received communication from North Central District Health Department from an employee who works part-time indicating there is a grant available for fruit trees to serve the community. He was asked to pass along this information and if anyone is interested they can contact the North Central District Health Department.

**VI. Public Participation**

Mr. Thomas Talamini, 23 Rice Road, Broad Brook addressed the Board. He asked the Board for some updates on the Broad Brook Mill site remediation and the Calmar project. Mr. Maynard commented that at the Planning and Zoning Meeting next week there will be some discussion on the Calmar project and what progress has been made to date.

Mr. Paul Anderson of 89 Main Street, Broad Brook addressed the Board. He commented that at the next Planning and Zoning Meeting a discussion regarding Barber Hill Schoolhouse is on the agenda for next Tuesday at 6:30 p.m.

**VII. Board and Commissions Resignations and Appointments**

**a. Resignations: None**

**b. Re-Appointments: Agricultural Commission, Albert Grant (U), Regular Member for a term expiring August 1, 2019.**

It was **MOVED** (Pippin) and **SECONDED** (Bowsza) and **PASSED** (4-0) (In favor: D. Nelson, J. Bowsza, R. Pippin and S. Dearborn, Opposed: None, Abstain: None) that the Board of Selectmen re-appoints Mr. Albert Grant , Regular Member of the Agricultural Commission for a term expiring August 1, 2019.

**c. New Appointments: None**

**VIII. Unfinished Business**

**a. Parliamentary Procedures**

Mr. Maynard commented that when a Board Member has the floor during a meeting, please do not interrupt a person speaking. He reminded all of the Board Members that they should not speak during a meeting unless they are recognized by the Chairman. In regards to making motions, he would like everyone to slow down and write down any motions which are to be made. They should be read from the written motion so there is no confusion as to the

motion being made and voted upon. It was asked who will be writing down these motions. Mr. Maynard commented the person making the motion, should be the person writing down that motion. It was inquired why this agenda item is continuously on the agenda and it was believed that according to FOI an agenda item could not be kept on an agenda openly for months. It was thought it would have to be removed if it is over three months. Ms. Nelson indicated she would check on this for the next meeting. Mr. Dearborn believes it is a good idea to keep this on the agenda to remind everyone of the parliamentary procedures. Mr. Maynard commented that if that is the FOI rule, then he will follow it. Mr. Maynard remarked that for the time being, he reminded everyone that they can only speak when recognized and that is why he has changed his seating position so he can recognize those who are requesting to be recognized during a discussion. Ms. Nelson inquired if the Board is having an informal discussion, the Chairman would still have to recognize those who want to speak. Mr. Bowsza inquired if a Board Member is not recognized, what procedure would be implemented to appeal the Chairman's ruling. How would a Board Member overrule the Chairman? He believes everyone should be held to the same standard. He will check the Robert's Rules of Order.

**b. Barber Hill School Updated**

This agenda item was not discussed at this meeting.

**c. East Windsor Fire Protection Committee Report**

Mr. Maynard commented that he attended the meeting that the Town Attorney Joshua Hawks-Ladd presented six options in regard to the East Windsor Fire Protection. Given those options, the only ones which are feasible are four and five on that list. The options given were sent in an eight page document. There is a meeting scheduled to discuss those two alternatives. He gave a brief summary of those options, the first one was to have the Warehouse Point Fire District to be expanded and serve the entire town and would be controlled by a Board of Fire Commissioners. Mr. Bowsza inquired if this information was from August 19, 2016 letter or the one received today. Mr. Maynard indicated he was reading from a letter which was received today from the town attorney. The second option would be to have a second fire district which would not cover the Warehouse Point Fire District, the second fire district would collect all taxes for that fire district.

A brief discussion was held among the Board Members. It was the general consensus the options for the fire districts should be publicized for the public to become involved in the decision.

**d. East Windsor's 250 Anniversary Commission Report**

Ms. Rebecca Talamini addressed the Board to give an update on the 250<sup>th</sup> Anniversary planning. The Commission has set-up a total of nine sub-committees for various areas of the planning. Many ideas have been discussed in attempts to agree upon a logo for the event. She hopes by the next Board of Selectmen Meeting she will be able to share the logo.

**e. Discussion of South Road**

This agenda item was not discussed at this meeting.

**f. Discussion of Pond Street**

This agenda item was not discussed at this meeting.

**g. Broad Brook Mill Site Remediation**

Mr. Maynard commented that he has received the bi-monthly progress from AECOM Environment dated August 29, 2016. The report notes that monthly site inspections were performed to evaluate general site maintenance, security fencing and site buildings. Signs of a trespasser and damaged security gate were observed on August 8, 2016. AECOM worked with East Windsor Police Department to ensure the trespasser had vacated the property and the gate was repaired. The Remedial Action Plan Addendum was submitted to the CT DEEP on August 3, 2016. Surveying and Hydrology and Hydraulics flood study analysis work begin in July 206 and is currently ongoing. On August 31, 2016, three letters were sent to property owners at 27 Mill Street, 69 Mill Street and Town Property on Mill Street in Broad Brook informing the property owners land surveying on or around their property during the period of September 12, 2016 to September 23, 2016. Two more letters were sent to 1-21 Brookside Drive, 27 Mill Street and 58 Mill Street also informing of the land surveying which will be done. Mr. Maynard indicated he had contacted Mr. Matthew Panciera, the Project Manager for AECOM who indicated the project is coming along, it was thought to begin in September, however, it has been delayed until January. He has been working with various agencies along with Mr. Norton, the Town Engineer. They are shooting to begin construction on the project in 2017 and complete it sometime in 2018.

Mr. Bowsza inquired if an invitation has been extended to AECOM along with the CT DEEP and EPA to attend a Board of Selectmen Meeting to discuss the progress of the project and discuss the plan going forward. Mr. Maynard has discussed with AECOM about coming to a meeting to discuss the project and they will be coming to the town to during a public hearing which will be scheduled in January. A lengthy discussion among all Board

Members was held. It was the general consensus to extend an invitation from the Board of Selectman to have representatives from AECOM, CT DEEP and EPA come to a Board of Selectman Meeting before a public hearing so questions could be asked and answered as the Board Members would like some clarity as to the progress of the project. Mr. Maynard indicated he would talk to their representatives and report back to the Board at the next meeting.

#### **h. Crumbling Foundations**

Mr. Maynard indicated that at the last meeting, Mr. Bowsza was asked to draft a letter to residents regarding crumbling foundations, taking information from a letter which was drafted by Ms. Carole Madore, Town Assessor. Mr. Maynard has made some revisions to that letter and gave a copy to the Board Members to review. Mr. Bowsza commented that at the last meeting, it was discussed that residents who are affected should be notified of the law changes due to the crumbling foundation issues. Mr. Maynard remarked that he the Town of East Windsor may have only two known houses that have foundations which were poured with the faulty concrete and he doesn't believe that a letter should be sent to all residents but rather post the letter on the Town's website, social media and publish it in the local newspaper to save the money for the cost of mailing the letter which would be approximately \$3,000. Mr. Bowsza disagreed as the letters should go out to residents so they are aware of any laws that may affect them if they happen to have one of those houses with crumbling foundations. Mr. Maynard commented that sending those letters may cause unnecessary panic and bringing negativity to the Town of East Windsor if it is publicized. People will be worried about crumbling foundations and may cause decreased property values. Since it is believed only two houses may have bad foundations, posting the information on the website, social media and public notice in the newspaper should be sufficient. Mr. Bowsza again disagreed and gave an example of an elderly person who may have purchased their home in the 80s and it is less likely for that person to go on social media and look on a website for general information. He believes that every resident should be notified of this potential problem. He mentioned an article recently in the *Journal Inquirer* about the crumbling foundations which noted the Attorney General for the State of Connecticut will not be bringing a class action to help those affected and insurance companies are denying any claims made by homeowners.

Mr. Maynard asked the Board Members to review the revisions he has made and come back at the next meeting to discuss this further.

It was **MOVED** (Pippin) and **SECONDED** (Dearborn) to rescind the motion made at the last Board of Selectmen Meeting on August 16, 2016 in regards to the crumbling foundations which is found on Page 3 in the Regular Meeting Minutes.

A discussion was held. Mr. Bowsza indicated that the motion which was just made was not properly before this Board and the motion cannot be rescinded from a prior meeting, it is inappropriate.

Mr. Pippin rescinded his motion and Mr. Dearborn rescinded his second.

It was **MOVED** (Pippin) and **SECONDED** (Dearborn) that the Board of Selectmen not to communicate the letter from the assessor to all residential property owners in town, notifying them that there has been a change in the general statutes to allow for consideration for revaluation of potential impacted properties by US Mail.

A discussion was held.

Mr. Bowsza commented that he felt it was their obligation as a Board to notify residents of the changes in the general statutes. Mr. Pippin indicated that the Town was not going to send the notice in the US Mail, but residents could come down to the Town Hall and ask questions. Mr. Bowsza inquired as to how residents would know to come to the Town Hall. Mr. Maynard indicated the information will be put out for the public on the website, social media and a public notice in the paper rather than mailing to each homeowner and spending money needlessly. Mr. Bowsza mentioned the Board of Financed budgeted monies for community outreach as this would be considered community outreach. Mr. Maynard indicated he will revise the letter and send it to all Board Members via email for their review before posting it on the website, social media or public notice. It was questioned if that would violate FOI rules and it was decided it would. Mr. Maynard indicated the letter will be brought back to the next meeting for further discussion.

A vote was taken:

In Favor: R. Pippin, S. Dearborn and R. Maynard

Opposed: D. Nelson and J. Bowsza

**Motion Carries.**

## **IX. New Business**

### **a. CGI Communications East Windsor Video**

Mr. Maynard indicated that the Town will be working with CGI Communications to produce a video about the Town of East Windsor. The departments featured in this video will be the quality of life, education and economic development in the Town of East Windsor. CGI Communications

are based out of Rochester, New York. They have produced videos for the Town of Glastonbury and Manchester. Once it is completed it will be uploaded to the website so if prospective homeowners or businesses are looking into moving to the area, they can see what the Town of East Windsor has to offer.

**b. Approval of Tax Refunds**

It was **MOVED** (Pippin) and **SECONDED** (Nelson) that the Board of Selectmen approves the tax refunds in the amount of \$7,131.17 pursuant to the tax collector's request dated August 10, 2016 and approves the tax refunds in the amount of \$17,789.21 pursuant to the tax collector's request dated August 31, 2016.

A discussion was held. Ms. Nelson requested clarification of the \$12,000 tax refunds on the August 31, 2016 which was to be refunded to Pensky. Mr. Dearborn indicated those amounts seem to be the same amounts and must have something to do with motor vehicles that Pensky sold. Ms. Nelson requested postponing the approval of the request of August 31, 2016 until clarification could be made.

Mr. Pippin withdrew his motion and Ms. Nelson rescinded her second.

April 14, 2016.

It was **MOVED** (Pippin) and **SECONDED** (Nelson) and **PASSED** (4-0)(In Favor – R. Pippin, D. Nelson, S. Dearborn and J. Bowsza; Opposed – None; Abstained – None)that the Board of Selectmen approves the tax refunds in the amount of \$7,131.17 pursuant to the tax collector's request dated August 10, 2016.

**X. Selectmen Comments and Reports**

**a. Steven Dearborn**

He indicated he had nothing to report.

**b. Jason E. Bowsza**

See Schedule A attached hereto.

**c. Dale Nelson**

Ms. Nelson commented on the CIP meeting which was held on August 30, 2016. The Committee discussed projects which would be funded with monies which are available from projects which are completed and have

unused fund balances. She attended the Broad Brook Fire Department car and bike show on September 3, 2016. Selectman Dearborn had a bike in the show. She has sent a note to the First Selectman asking for an update on staff meeting outcomes, what are the short and long range goals for departments. She was unable to attend the WPCA or Police Commission recent meetings and inquired if anyone could comment. Mr. Paul Anderson, Chairman of the WPCA remarked the last meeting was very brief and everyone was very pleased. Mr. Maynard indicated the WPCA just received an update computer system. He also noted that staff meetings were not convened during the summer months, but he plans on having one on September 15, 2016 and will report about it at the next Regular Meeting. Ms. Nelson mentioned she has been hearing complaints about the Police Commission and money which is being used for new vehicles, which are for the administration and not cruisers. Ms. Nelson also commented about an article she read recently regarding a grant the Enfield Fire Department received for breathing gear for the firemen. She inquired if East Windsor would be eligible for that grant. Mr. Maynard indicated he would look into it.

**d. Richard Pippin, Jr.**

Mr. Pippin commented the Permanent Building Committee meeting of August 29, 2016 which the classroom project at the elementary school was discussed and the project is very close to completion the boiler should be delivered on August 31, 2016 and the air conditioning units have been ordered and should arrive in six to eight weeks. The final payment for the modular classrooms was made in the amount of \$359,038.25. Authorization for the fence repair on Old Ellington Road was discussed.

**e. Robert Maynard**

Mr. Maynard inquired if the Board would like to march in the Community Day parade. The Town will have a booth at the Community Day as they had at the Home Product Show.

The process for CIP has begun and all departments have been asked to have their proposals for projects over \$20,000 to be submitted by September 15, 2016.

**XI. Public Participation**

Ms. Denise Menard of 73 Miller Terrace addressed the Board. She asked the First Selectman to listen to the Board Members regarding their concerns over the Mill Brook Remediation and ask the representatives from AECOM, CT DEEP and EPA to attend a Board of Selectmen Meeting as to ask questions as their plans and timeline before they come before the public at a public meeting.

Ms. Kathleen Pippin of Woolham Road addressed the Board. She agrees with the comments about the Mill Brook Site and it has been years and years.

Mr. John Mathews of Melrose Road addressed the Board. He has been a resident of the town for fifty years and he has concerns about the fire department. He would like a Commission to ask what the problem is and try to come up with a solution rather than revamping the system and spending money on legal fees. Polling the citizens of the town may be a good way of trying to come up with a solution. In regards to the crumbling foundations, since there are only two known cases, he doesn't feel a letter needs to be sent to each homeowner and spending money that doesn't need to be spent nor to create angst.

Mr. Paul Anderson of 89 Main Street addressed the Board. He also feels that the Town needs answers regarding the Mill Brook Site before the public hearing.

## **XII. Executive Session**

It was **MOVED** (Pippin) and **SECONDED** (Nelson) and **PASSED** (4-0) (In favor: D. Nelson, R. Pippin, S. Dearborn and J. Bowsza, Opposed: None, Abstain: None) that the Board of Selectmen enter into Executive Session at 8:26 p.m.

Executive Session ended at 8:50 p.m.

## **XIII. Adjournment**

It was **MOVED** (Nelson) and **SECONDED** (Pippin) and **PASSED** (4-0) (In favor: D. Nelson, S. Dearborn, R. Pippin and J. Bowsza, Opposed: None, Abstain: None) that the Board of Selectmen adjourn the Board of Selectmen September 6, 2016 Regular Meeting at 8:50 p.m.

Respectfully Submitted,

Denise M. Piotrowicz  
Recording Secretary

## **SCHEDULE A**

### Selectmen's Report - September 6, 2016

On August 23, the Planning and Zoning Commission did not meet. Their next meeting will be on September 13, and the Barber Hill School is expected to be an agenda item.

On the 23rd, the East Windsor Fire Protection Committee met and discussed the legal opinion authored by the town attorney. At the committee's request, the town attorney opined on possible options for the committee to consider. Those options, in no particular order, are:

- 1) do nothing and maintain the current status quo;
- 2) return to the previous arrangement;
- 3) eliminate the Warehouse Point Fire District and have the Town provide fire services for the entire town;
- 4) enlarge the Warehouse Point Fire District to include the entire town, and rest total responsibility for fire service and subsequent taxation with the expanded district;
- 5) create a second fire district outside the geographic area of of the Warehouse Point Fire District, with each district responsible for providing fire service and subsequent taxation; and
- 6) equalize the tax obligation to Warehouse Point Fire District residents, offsetting the cost of fire protection in Broad Brook.

Committee members ruled out, by an official vote, #'s 1, 2, 6. They are still considering #'s 4 and 5, and are asking for additional legal review by the Town Attorney and the Warehouse Point Fire District's attorney.

Regardless of the final recommendation, some committee members seemed committed to submitting the final decision to a referendum, while other members seemed to oppose sending the final decision to a referendum.

On August 25, the Conservation Commission met to discuss a number of pending potential open space acquisitions. They also discussed ways that they can participate in the 250th Anniversary Celebration.

That same night, the Agriculture Commission met. The voted to support an application for a Community Farm project that is located in East Windsor and South Windsor. They will be sending a letter of support to the Connecticut Department of Agriculture.

The also made a point of thanking Broad Brook Fire Chief Tom Arcari for his help in supplying water to the Community Garden.

The Farmers' Market will be going until October 2, and the market coordinators are happy with the location and the marketing that's taken place. They consistently have between 275 and 300 people attend.

I recently had two constituent issues that required assistance from the East Windsor Police Department - the first concerning vagrancy on the Town Green, and the second concerning noise late in the evening coming from USA Hauling. On both occasions, the leadership of the EWPD got involved to resolve the issues personally.

Special thanks to Chief DeMarco and Deputy Chief Hart for speaking with management of USA Hauling to address the issue of noise. Additionally, Chief DeMarco got trained on how to use a decibel reader and went late in the evening to the affected neighborhood to read the noise levels himself. Sgt. Derek Leab did the same for several nights.

Concerning the vagrancy issues on the green, the EWPD will be instituting directed patrols and attempting to involve social services to resolve the issue.

Both of these examples really demonstrate how above and beyond our police department and its leadership are willing to go for our community.

On Monday, August 29, the Journal Inquirer ran a new story in the evolving crumbling foundation issue. This story states, among other things, that the Attorney General does not have sufficient grounds to pursue the concrete company, and that insurance companies are denying any claims at all pertaining to crumbling foundations, even before claims are submitted. These developments are all the more reason why it is incumbent upon us as town leaders to let people know that the law has changed to now allow towns to revisit assessments. Every little bit of information may help people who are feeling afraid and uncertain, and we should be doing all that we can to spread the word. That is why I hope the board will reconsider our refusal to mail this information to homeowners who own homes constructed during that period.

The full JI story can be found here

Crumbling foundations -

[Foundation issues spreading to condominium complexes](#)

At least four developments in area towns, including three condominium complexes, are deteriorating from failing concrete foundations, an issue that continues to plague northeastern and north-central Connecticut homeowners.

[WWW.JOURNALINQUIRER.COM](http://WWW.JOURNALINQUIRER.COM)

Respectfully Submitted,  
Jason Bowsza