

**TOWN OF EAST WINDSOR
BOARD OF SELECTMEN**

***REGULAR MEETING
Thursday, January 4, 2023
7:00 p.m.***

***THIS MEETING
IS BEING HELD IN-PERSON
In the John Daly, Jr. Meeting Room
Town Hall, 11 Rye Street, Broad Brook, CT 06016***

AND

***REMOTELY via ZOOM Teleconference
Meeting ID: 332 683 3563
Passcode: townhall***

SCHEDULE OF MOTIONS

Board of Selectmen

Jason E. Bowsza, First Selectman
Marie DeSousa, Deputy First Selectman
Alan Baker, Selectman
Sarah Muska, Selectman
Keith Yagaloff, Selectman

ATTENDANCE: First Selectman Bowsza hosted the in-person meeting. Deputy Selectman DeSousa, Selectman Baker, Selectman Muska and Selectman Yagaloff were present at the in-person meeting.

ABSENT: All members of the Board of Selectmen were present at this evening's meeting.

GUESTS/SPEAKERS in-person: First Selectman Bowsza hosted the meeting.

GUESTS/SPEAKERS signing in to meeting remotely: Tom Lansner; Richard Tuller;

1. TIME AND PLACE OF MEETING:

TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
Regular Meeting – Thursday, January 4, 2024
In-Person AND
ZOOM Teleconference
Meeting ID: 332 683 3563
Passcode: townhall
SCHEDULE OF MOTIONS

2

First Selectman Bowsza called the January 4, 2024 Regular Meeting of the East Windsor Board of Selectmen to Order at 7:00 p.m. in the John Daly, Jr. Meeting Room, Town Hall, 11 Rye Street, Broad Brook, CT 06016.

2. PLEDGE OF ALLEGIANCE:

First Selectman Bowsza requested Selectman Muska to lead everyone in reciting the Pledge of Allegiance.

3. ATTENDANCE:

See Attendance noted at the beginning of the meeting.

7. BOARD AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS:

A. Resignation: None

B. Reappointments:

1. James Stempfer (R), Agricultural Commission, regular member for a term expiring January 1, 2027

MOTION: To appoint James Stempfer (R) to the Agricultural Commission as a Regular Member for a term expiring January 1, 2027.

Baker moved/Muska seconded/DISCUSSION: None

**VOTE: In Favor: DeSousa/Yagaloff/Baker/Muska
(No one opposed/No abstentions)**

C. New Appointments:

1. Kristin Blume (U), Arts and Culture Committee, regular member for a term expiring October 21, 2024:

MOTION: To appoint Kristin Blume to the Arts and Culture Committee as a Regular Member for a term expiring October 21, 2024.

TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
Regular Meeting – Thursday, January 4, 2024
In-Person AND
ZOOM Teleconference
Meeting ID: 332 683 3563
Passcode: townhall
SCHEDULE OF MOTIONS

3

Muska moved/DeSousa seconded/DISCUSSION: None

VOTE: In Favor: Baker/Yagaloff/DeSousa/Yagaloff
(No one opposed/No abstentions)

2. LeRoy R. Paige (R), American Heritage River Commission, Associate Member.

No action has been taken as LeRoy R. Paige is not a resident of East Windsor and is not eligible to be appointed to the Commission. He was not present at the meeting.

DeSousa had commented on her findings that the process of associate members to be on the commission could be acceptable if they are just an associate member rather than a full member and continue to volunteer for the Town of East Windsor.

3. **David Swaim (D), Zoning Board of Appeals, Alternate Member for a term expiring November 18, 2025.**

MOTION: To appoint David Swaim to the Board of Zoning Appeals as an Alternate Member for a term expiring November 18, 2025.

DeSousa moved/Baker seconded/DISCUSSION: None

VOTE: In Favor: Muska/DeSousa/Baker/Yagaloff
(No one opposed/No abstentions)

8. **OLD BUSINESS:**

First Selectman Bowsza requested a motion to postpone agenda item 8A to be discussed after the Item 10 Executive Session.

MOTION: To POSTPONE agenda Item 8A to be discussed after agenda Item 10 Executive Session.

Muska moved/Baker seconded/DISCUSSION: None

VOTE: In Favor: DeSousa/Yagaloff/Baker/Muska
(No one opposed/No abstentions)

TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
Regular Meeting – Thursday, January 4, 2024
In-Person AND
ZOOM Teleconference
Meeting ID: 332 683 3563
Passcode: townhall
SCHEDULE OF MOTIONS

4

9. NEW BUSINESS:

A. Discuss Emergency Management Performance Grant (E.M.P.G.):

First Selectman Bowsza requested a motion to postpone agenda Item 9A for the next regular meeting.

MOTION: To POSTPONE agenda Item 9A for the next regular meeting.

Muska moved/DeSousa seconded/DISCUSSION: None

**VOTE: In Favor: Baker/Yagaloff/Muska/DeSousa
(No one opposed/No abstentions)**

B. Discussion and Potential on the Broad Brook Library Association Audit Waiver Request:

DeSousa requested if the additional information would be available in the future. Paul Anderson responded that it would be available.

MOTION: To ACCEPT the Broad Brook Library Association Audit Waiver Request.

DeSousa moved/Muska seconded/DISCUSSION: Yagaloff requested for additional information to be available before making any motions in the future.

**VOTE: In Favor: Muska/DeSousa/Baker/Yagaloff
(No one opposed/No abstentions)**

C. Discussion and Potential Action on the Lynn Stanly Vs. Town of East Windsor FOIC Decision:

MOTION: To POSTPONE agenda Item 9C till after the Item 10 Executive Session.

Baker moved/Muska seconded/DISCUSSION: None

**VOTE: In Favor: Muska/DeSousa/Baker/Yagaloff
(No one opposed/Abstention: Yagaloff)**

**TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
Regular Meeting – Thursday, January 4, 2024
In-Person AND
ZOOM Teleconference
Meeting ID: 332 683 3563
Passcode: townhall
SCHEDULE OF MOTIONS**

5

D. TAX REFUND:

**MOTION: To PASS the Tax Refund in the amount of \$11,708.00
for the Town of East Windsor.**

Muska moved/Baker seconded/DISCUSSION: None

**VOTE: In Favor: Muska/Baker/DeSousa/Yagaloff
(No one opposed/No abstentions)**

10. PUBLIC PARTICIPATION:

None

- 11. EXECUTIVE SESSION** – Pursuant to C.G.S. 1-200 (6)(b), (Brian McCann, re: Windsor Show Stables, Catholic Cemeteries Tax Appeal Settlement, and Bob DeCrenscenzo: re: Solar Appeal (6)(e) discussion of any matters which would result in the disclosure of possible records, or the information contained therein described in subsection 1/210 - Action possible.

MOTION: To GO INTO EXECUTIVE SESSION.

DeSousa moved/Muska seconded/DISCUSSION: None

**VOTE: In Favor: Baker/Muska/DeSousa/Yagaloff
(No one opposed/No abstentions)**

First Selectman Bowsza noted the Board has gone into EXECUTIVE SESSION AT 7:28 p.m; action will follow.

The Recording Secretary signed out of the meeting at 7:28 p.m.

First Selectman Bowsza reported the Board of Selectmen have exited the EXECUTIVE SESSION AT 9:01 p.m. He requested the Board to consider **Agenda Item 8A – Discussion and possible settlement of Catholic Cemeteries Association of Tax Appeal.**

**MOTION: To APPROVE Catholic Cemeteries Tax Appeal for Church
Street Tax Liens Settlement Proposal.**

BOARD OF SELECTMEN

Regular Meeting – Thursday, January 4, 2024

In-Person AND

ZOOM Teleconference

Meeting ID: 332 683 3563

Passcode: townhall

SCHEDULE OF MOTIONS

VOTE: **Baker moved/Muska seconded/DISCUSSION: None**
 In Favor: Muska/DeSousa/Baker
 Opposed: Yagaloff
 Abstained: No one

First Selectman Bowsza brought forward the agenda item 8C. He asserted that there would be no action on this item. He elaborated by citing the decision of the Freedom of Information Commission's response to Discussion and Potential Action on the Lynn Stanley Vs. Town of East Windsor FOIC Decision. Below is the findings:

Number 54 states that the Commission conducted the required balancing tests and determined the public interest in withholding the records clearly outweighed the public interest in disclosure. It has also found that the balancing test was undertaken in good faith and the reasons for non-disclosure are not frivolous or patently unfound;

Number 57 found the respondents' provided complaint with all responsive records that are maintained publicly and kept on file except for the records that are publicly available under article 30 and above and those paragraphs they claimed were exempt from disclosure described in paragraph 34;

Number 58 found that while the respondents reached out to other Town Departments, they did not have a duty to maintain or make the records of any other public agency available;

Number 60 found that the respondents testified and immediately began processing November 14th request and that such process took considerable amount of time;

Number 63 found that the complainant did not inform the respondents. The complainant Miss Stanley did not inform the respondents of their particular importance of the records nor a specific time frame by when she needed the records;

Number 64 found that based on foregoing and under the facts and circumstances of this case, it is found that the respondents acted quickly and without undue delay in responding to the complaint's November 14th requests except with respect those responsive documents that were publicly available at the time of the request. Publicly available at the time of the request means that there was another means of which to get it. It was available on the Town's website. Therefore, it is concluded the respondents violated the promptness

TOWN OF EAST WINDSOR

7

BOARD OF SELECTMEN

Regular Meeting – Thursday, January 4, 2024

In-Person AND

ZOOM Teleconference

Meeting ID: 332 683 3563

Passcode: townhall

SCHEDULE OF MOTIONS

Provisions but only with respect to those publicly available records. That is the finding of the Connecticut Freedom Of Information Commission.

11. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 9:05 p.m.

Muska moved/Baker seconded/DISCUSSION: None

**VOTE: In Favor: Muska/DeSousa/Baker/Yagaloff
(No one opposed/No abstentions)**

Respectfully submitted,

Sabo Khalilova, Recording Secretary, East Windsor Board of Selectmen

TOWN OF EAST WINDSOR

8

BOARD OF SELECTMEN

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ZOOM Teleconference

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SCHEDULE OF MOTIONS