

TOWN OF EAST WINDSOR BOARD OF SELECTMEN

SPECIAL MEETING

Wednesday , May 8, 2019

7:30 p.m.

Town Hall Meeting Room
11 Rye Street, Broad Brook, CT. 06016

Meeting Minutes

**** These Minutes are not official until approved at a subsequent meeting****

Board of Selectmen:

Robert Maynard, First Selectman
Steve Dearborn, Deputy First Selectman
Jason E. Bowsza, Selectman
Andy Hoffman, Selectman
Charles J. Szymanski, Selectman

ATTENDANCE: Board of Selectmen: Robert Maynard, First Selectman; Steve Dearborn , Deputy First Selectman; Jason E. Bowsza, Selectman; Andy Hoffman, Selectman; Charles J. Szymanski, Selectman.

ABSENT: All Selectmen were present this evening.

SPEAKERS/GUESTS: Members of Boards, Committees, Commissions, or Town Entities: Board of Finance: Sarah Muska, Kathy Pippin; Board of Education: Kathy Bilodeau; Fran Neill; Broad Brook Fire Department: Tom Arcari, Chief; Warehouse Point Fire District/Warehouse Point Fire Department: D. James Barton, James P. Barton, Chief, WHPF Department; Rich Austin, Assistant Chief, WHPF Department/WHPFD Fire Marshal.

Public: Bob Lyke, Charlie Nordell, Dick Pippin, and Tom Talamini.

Press: No one from the Press was present.

TIME AND PLACE OF SPECIAL MEETING:

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First Selectman Maynard called the May 8, 2019 Special Board of Selectmen Meeting to Order at 7:30 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

PLEDGE OF ALLEGIANCE:

Everyone present stood to recite the Pledge of Allegiance.

ATTENDANCE: See page 1.

NEW BUSINESS/A. Discuss and Approve Ordinance Regarding the Creation of the Town of East Windsor Casino Impact Fund:

First Selectman Maynard reported the Board is to discuss and approve the creation of an Ordinance for the Town of East Windsor Casino Impact Fund. First Selectman Maynard referenced Attachment A – Draft East Windsor Casino Fund Ordinance, noting the first line reads: “The following ordinance was adopted at a Special Town Meeting duly warned and held on _____, 2018.” First Selectman Maynard suggested the Board needs to rescind the Ordinance adopted on October 4, 2018, and approve with a 2019 date.

MOTION: To RESCIND the East Windsor Casino Impact Fund Ordinance approved by the Board of Selectmen on October 4, 2018.

Maynard moved/Hoffman seconded/DISCUSSION: None.

**VOTE: In Favor: Unanimous (Maynard/Dearborn/Bowsza/Hoffman/Szymanski
(No one opposed/No Abstentions)**

MOTION: To APPROVE the Casino Fund Ordinance presented tonight with the following amendment to the first sentence to read: “The following ordinance was adopted at a Special Town Meeting duly warned and held on _____, 2019”.

Maynard moved/Hoffman seconded/DISCUSSION: Selectman Bowsza cited that in Item 2, which reads in part, “...The procedure and process for disbursement will be determined at a later date through a separate ordinance.” Selectman Bowsza questioned at what point the Board would be talking about that separate ordinance? First Selectman Maynard suggested after we pass this ordinance, or if the Town doesn’t pass this ordinance we could have a second ordinance that included both, or the BOS would have to decide what to do. Selectman Bowsza questioned what would our recourse be at that point? What this ordinance does is establish a fund outside the General Fund for the retention of the \$3 million impact payments incorporated in the Development Agreement with MMCT, and then it says that a point later in time we’re going to tell you how to spend it. First Selectman Maynard referenced the beginning language of Item #2, which reads: “The CIF shall ensure that issues associated with the casino are dealt with in a manner that supports: the Growth of East Windsor, quality of life, infrastructure and public

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services.” He noted it goes on to say the language referenced by Selectman Bowsza. Selectman Bowsza cited his belief that this should be done in one comprehensive ordinance but if the Board chooses to do it in two separate ordinances wouldn’t it make sense to put the two ordinances to the people at the Town Meeting so they could have a full picture of what the Board was trying to do? He felt the Board’s telling people we’re taking the money, we have a mission statement for what we’ll spend it on but we’re not telling you how we’ll spend it; he reiterated that he felt for the people to have a full picture of how the money will be spent would be helpful to the people as they decide if they want to move forward with this. First Selectman Maynard felt the disbursement of the funds would be determined by the residents at a referendum or Town Meeting.

Selectman Hoffman suggested before you start spending money you establish a checking account, and that’s what we’re doing here. He recalled when the Board passed the current ordinance in October, 2018 he offered to write a draft for the second ordinance; he hoped the Board could move forward on that. Selectman Bowsza recalled in 2017 he wrote a comprehensive ordinance that established the fund, what the fund would be spent on, the distribution mechanism, the governance; a fair chunk of this is lifted verbatim out of that so, he appreciates what this is trying to do, but especially in light of what First Selectman Maynard has just said - which he felt is different from the original argument - which he understood to be that there would be a separate ordinance to determine how the funds would be allocated and how certain projects would be scored. Selectman Hoffman agreed. Selectman Bowsza suggested First Selectman Maynard just said we’re going to put the ordinance to the voters at referendum and they can decide how the money will be spent. First Selectman Maynard cited he would prefer a referendum over a Town Meeting because a Town Meeting takes so long to vote but it’s up to the BOS to determine the process, and if we get enough signatures to move it to a referendum then it would go to a referendum. Discussion continued concerning if the ordinance would go to referendum or not; First Selectman Maynard cited the need for the Board to discuss options further. Selectman Bowsza reiterated that when he put his proposal forward at Town Meeting in September, 2017 there were other proposals as well; the Board passed this ordinance in October, 2018 and we’re still no closer to deciding how we’re going to distribute the money. He felt the Board needs to put that plan together to the voters when they consider that.

Selectman Hoffman felt the Board had a basis for that with his 2018 draft of the second ordinance, which included excerpts of Selectman Bowsza’s ordinance; he suggested that draft can be modified to be whatever the Board wants it to be. The first thing he’d like to do is to get the money into a checking account; this ordinance will do that.

Selectman Szymanski cited he understood this is on the Agenda this evening because the date expired. He suggested the Board should move on this to have that account open if the money comes within the next 30 days, and within the next 60 days the BOS should work to put something together regarding how the money should be distributed. Selectman Bowsza reiterated this ordinance just establishes the fund outside the General Fund, which the BOF has the ability to do and has already done; if we’ve done something by process that we can do, and it’s been done, he questioned why we’re codifying this; if we’re going to take that step to put

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some meat on the bone then that would make sense to him. Selectman Bowsza suggested he would like to take Selectman Hoffman's offer up and dive into the meat regarding how the receipt and disbursement of the funding to support the services that are going to be impacted by hosting a casino. Selectman Hoffman indicated he agreed with Selectman Szymanski and Selectman Bowsza; the Board should move forward and put something in writing so the Board can agree on it. This establishes the checking account. Selectman Bowsza reiterated that's been done; First Selectman Maynard offered and that can be closed by the BOF if they chose to do it. He would like it codified; if you put \$3 million in a fund and the public concurs in a referendum then that's solid. He agreed the Board should move forward with this. Selectman Bowsza indicated he's comfortable with that because most of this is his writing; what he's not comfortable with is we have a secret plan to win the war and I'll tell you about that after the election.

Deputy First Selectman Dearborn suggested Selectman Bowsza has mentioned that he put the ordinance together, where the money was supposed to go - Deputy First Selectman Dearborn recalled that ordinance got beat up pretty bad by the people who showed up at the Town Meeting and voted against it because they didn't want to see their money was going to the special interest groups and they said no. This is the first step to bind that money up, get it out of the General Fund so it can't be thrown out to all the special interests. This is a good start; there's a second part to this - who's going to spend it, whether it's the BOS or a committee or whatever. This is a good start and we've got to get started because that money is going to come sooner than later. Selectman Bowsza suggested as a point of clarification there were no special interests that were assigned funding in that ordinance, there was a pathway for the entities that would be impacted by hosting a casino to receive relief from that money. Selectman Hoffman recalled that in writing his draft for the second part he used a lot of Selectman Bowsza's ordinance - the need for additional police or fire support; he tried to make it as pointed and crisp as possible so people could understand the opportunities we had to spend that money usefully. Selectman Hoffman suggested the Board should look at Selectman Bowsza's document and Selectman Hoffman's draft and begin step two.

VOTE: **In Favor:** **Maynard/Dearborn/Hoffman/Szymanski**
 Opposed: **Bowsza**
 Abstained: **No one.**

NEW BUSINESS/B. Consider and Take Action on a Call for a Special Town Meeting in Response to the Supplemental Appropriation Approved by the Board of Finance in Excess of \$20,000 and a Petition for a Special Town Meeting Regarding the Same Supplemental Appropriation (See Attachment B):

First Selectman Maynard cited the second item on the Agenda as identified above.

MOTION: **To CALL a Special Town Meeting on May 16, 2019 at 7:30 p.m. to consider and approve the 13 Supplemental Appropriations items listed in the petition**

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**to convene a Town Meeting and approved by the Town of East Windsor
Board of Finance on April 17th, 2019.**

Maynard moved/Hoffman seconded/DISCUSSION: Selectman Hoffman indicated he spent a lot of time since the meeting where he asked for back up information; he felt this was a good Supplemental Appropriation budget. He's reviewed it in detail; he's talked to the people responsible for it; he understands where they're coming from; he doesn't feel there's any pork in it. Selectman Hoffman reported he talked to the Superintendent and one of the things they discussed was that the school seemed to be going to no books but she had \$70,000 in the Supplemental Appropriations for textbooks and library work. The Superintendent said that the medical community said kids learn better if they have a combination of database work and hard copy reading activities. He indicated that when he reviewed the items listed by the BOF the Superintendent had good, thoughtful answers; when he reviewed and spoke to the people responsible for the CIP they did a good job; he's prepared to support it. Selectman Hoffman reported he's had discussions with Deputy Chief Roger Hart as well; Selectman Hoffman disagrees with buying two cars. He noted the old vehicles are low maintenance vehicles; they do a good job of maintaining them. Selectman Hoffman indicated he had questioned Deputy Chief Hart if he would consider experimenting with buying one vehicle and if we find that doesn't work we can go back to buying two. Selectman Hoffman also noted he discussed the replacement of the tile floor in the Elementary School cafeteria with the Superintendent as he and Selectman Szymanski had visited the school and felt damaged tiles could be replaced rather than the entire floor; the Superintendent indicated she's afraid a kid will slip with a hot meal in their hands. Selectman Hoffman felt if we have money these are not a bad place to spend it.

Selectman Szymanski indicated he agreed with Selectman Hoffman on a lot of this; he felt the items presented are necessary but none are required. Selectman Szymanski noted the cost to replace the tile floor in the Broad Brook Elementary School cafeteria is \$27,000; the CIP support documentation said it was the original floor but when he visited the school it was evident the floor was put in at the same time as the addition; the tiles are consistent with the addition and they're not asbestos tiles. Selectman Szymanski suggested maybe a dozen tiles could be replaced to save about \$26,000. Regarding the concern for a child slipping on the tiles Selectman Szymanski suggested that wouldn't be done before school is out because you need to take the entire floor out so if the concern is that someone will slip and fall someone can come in and take the damaged tiles out tomorrow and no one will slip and fall between now and the end of the school year. Selectman Hoffman agreed there can be a much less expensive solution; Selectman Szymanski suggested it would be safer if that's her concern.

Deputy First Selectman Dearborn requested First Selectman Maynard read the motion again. First Selectman Maynard read the motion; Deputy First Selectman Dearborn indicated he thought it was going to referendum. First Selectman Maynard suggested the Board had considered that but they're also considering this option. Deputy First Selectman Dearborn felt the special interests, the schools and the police, will show up again to get what they want. Deputy First Selectman Dearborn recalled that the previous year the schools got over a million dollars; this year they're looking at a million and a half and they got another \$200,000, and

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they're asking for this money when the population is dropping. Deputy First Selectman Dearborn suggested if he ran his business the way the school runs theirs he'd be bankrupt. Deputy First Selectman Dearborn indicated he wanted this to go to a referendum; let the people come in and vote.

Selectman Bowsza suggested the Town Meeting could be petitioned to recess to a referendum; it's a different threshold than it is for us to set a Town Meeting but there is a remedy under the law. He felt the projects were considered by the BOF, there's justification for all of them, and this is an opportunity to spend down the Fund Balance on appropriate one time expenditures without incurring long term budgetary obligations. First Selectman Maynard suggested he really wants to fund replacing the South Road sewer. Deputy First Selectman Dearborn clarified that he isn't against all of this; he felt the money should be spent for the Public Works projects. He suggested the Town is in rough shape, the parking lots and the buildings are falling apart. He suggested looking at the Towns around us and compare their buildings to ours; it's ridiculous. Deputy First Selectman Dearborn indicated he would vote for projects #3 and #4 but he wants a referendum on the others. First Selectman Maynard indicated the people will vote on the 13 items separately at the Town Meeting so if the majority of the people attending want to cross anything off they can. Selectman Szymanski indicated he agrees with Deputy First Selectman Dearborn about the referendum; every taxpayer is a stakeholder in this town and they should have a say into spending this kind of money. He suggested some people don't have the money to fund these projects, or they may be older and their medications may be taking over their savings. Selectman Szymanski would like to have those stakeholders have a say in this. Selectman Bowsza suggested as clarification that if these projects are approved at the Town Meeting none are new tax obligations; in considering if individual taxpayers can shoulder these in fact they already have. We need to spend our Fund Balance according to the recommendations of our Town audit in a responsible way that doesn't commit us to ongoing expenses; he felt he could make a clear argument that each of these things does that. Selectman Hoffman indicated he understood Selectman Szymanski and Deputy First Selectman Dearborn's preference for a referendum but he questions how to get the public to understand what they're spending the money on? He cited the difficulty to research the information. Discussion continued regarding options for getting the information out; Selectman Hoffman suggested enlisting the JI reporter, Selectman Szymanski suggested posting the information on the Town website. Discussion also continued regarding getting the voters out.

VOTE: **In Favor:** **Maynard/Bowsza/Hoffman/Szymanski**
 Opposed: **Dearborn**
 Abstained: **No one.**

ADJOURNMENT:

MOTION: **To ADJOURN this Meeting at 8:05 p.m.**

Bowsza moved/Maynard seconded/DISCUSSION: None

VOTE: **In Favor:** **Unanimous (Maynard/Dearborn/Bowsza/Hoffman/Szymanski)**

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Respectfully submitted



Peg Hoffman, Recording Secretary, East Windsor Board of Selectmen

Attachments: Attachment A: Draft East Windsor Casino Fund Ordinance,
Attachment B: Petition for a Special Town Meeting Regarding the Same
Supplemental Appropriation

BW 5/8/2019 Attachment A

Draft East Windsor Casino Fund Ordinance

Town of East Windsor

The following ordinance was adopted at a Special Town Meeting duly warned and held on _____, ~~2018~~ **2019**.

"ORDINANCE REGARDING THE CREATION OF THE TOWN OF EAST WINDSOR CASINO IMPACT FUND"

1. Pursuant to the Connecticut General Statutes, as amended, there shall be established a Casino Impact Fund ("CIF").
 - a. Such CIF shall be a non-lapsing, revolving fund of the Town of East Windsor outside of the General Fund.
 - b. The \$3,000,000 up-front payment and any subsequent annual impact payments received from MMCT Venture, LLC as required by Section 1, a, and b of the Development Agreement between the Town of East Windsor and MMCT Venture, LLC dated February 28, 2017, shall be deposited 100% into the CIF not more than thirty (30) calendar days after receipt.
2. The CIF shall ensure that issues associated with the casino are dealt with in a manner that supports: the growth of East Windsor, quality of life, infrastructure and public services. The procedure and process for disbursement will be determined at a later date through a separate ordinance.

May 2, 2019 Town of East Windsor
Petition to convene a Town Meeting

Title:

To approve an additional appropriation in the amount of \$657,100.00 as approved by the East Windsor Board of Finance at a meeting held on April 17, 2019

Purpose:

To fund the following purchases and projects in the amounts listed herein:

- | | |
|--------------------|--|
| 1. BOE | IT Group \$38,000. |
| | Library & Textbooks \$77,000. |
| | Athletics & Extra Curricular \$38,500. |
| | Broad Brook Elementary Café Tile \$27,500. |
| 2. Police | Vehicle \$56,000. |
| | Computers \$23,100. |
| 3. DPW | Vehicle (Truck) \$60,000. |
| | Garage Equipment \$20,000. |
| | Drainage \$50,000. |
| | Exterior Lighting \$50,000. |
| | Vehicle 26,000. |
| 4. Town Properties | Generators (2) \$97000. |
| | Sewer (South Rd.) \$94,000. |

We, the undersigned registered voters of East Windsor petition the town of East Windsor to convene a town meeting: