

02/16 2011 at 11:47 A.M.

TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Brendergast, Asst
TOWN CLERK

TOWN OF CROMWELL
BOARD OF SELECTMEN
REGULAR MEETING
WEDNESDAY FEBRUARY 9, 2011
7:10 P.M. TOWN HALL ROOM 224/5

MINUTES

Present: First Selectman J. Flanders, Deputy First Selectman R. Newton,
A. Varricchio, A. Halibozek, A. Waters, A. Spotts, P. Ahlquist

Absent:

Also Present: Director of Finance M. Sylvester, Senior Services Director T. Strong,
Assessor S. Baron, Public and Press

A. CALL TO ORDER

First Selectman Flanders called the meeting to order at 7:52 p.m.

B. APPROVAL OF AGENDA

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to approve the agenda as posted.

C. CITIZENS COMMENTS

1. A. Thomas, Cedarland Court -President Phase 1 Cromwell Hills Association - Informed the Board of the problems that Cromwell Hills residents are having when dealing with the Assessor. Ms. Thomas stated that the board should demand that Department Heads attend the monthly Board of Selectmen Meetings.

2. A. Kelly, Willowbrook Road -Chairman Planning & Zoning Sub-Committee - Advised that she is happy to report that the final draft has been received, the Public Hearing will be closed at their February meeting and after they have a chance to go through it will be done. This has been a two-year project.

3. V. Harpley, Wildwood Road-Withdrew his name for consideration from the Capital Expenditure Commission.

4. R. Waters, South Street -Disappointed with the condition of the roads after the last snow storm, some of the equipment needs to be replaced or repaired. Mr. Waters also spoke regarding the Cider Hill Project funding, the heating system in Town Hall and stated that in his opinion the Senior Tax Abatement program should remain the same.

5. M. Johnson, Pleasant Street -Spoke regarding the Cider Hill Project and the amount of money that was spent on the report.

6. R. Coughlin, Glenwood Terrace -Spoke regarding the Senior Tax Abatement Project. Mr. Coughlin advised that he was a member of the committee that made the recommendations to the board for the Senior Tax Abatement. The objective of the committee was to provide some tax relief to those who need it.

7. S. Bayley, Chestnut Court -inquired if the video camera was working.

8. P. Keithan, Iron Gate Lane -Spoke about the power loss on Irongate Lane and the Emergency Preparedness Director.
9. R. Waters, South Street -Spoke against accepting the STEAP grant for Dead-man's Swamp at this time due to the poor economy.
10. B. Coughlin, Glenwood Terrace -Against any of the board members being attacked.

D. STAFF REPORTS

Public Works Director Hood submitted a Project Status spreadsheet but was unable to attend the meeting due to a family emergency.

E. FINANCIAL

1. Tax Refunds

- a. Nadeka LLC -\$45.00
- b. Bank of America -\$1,692.00
- c. Corelogic Real Estate Tax Service -\$10,172.67
- d. GMAC Mortgage Corp. -\$6,355.40
- e. Wells Fargo Real Estate Tax Service -\$15,557.44
- f. A & L Enterprises LLC. -\$79.28
- g. Steven P. Nielson -\$60.15
- h. VW Credit Leasing LTD =\$155.46
- i. Nissan Infiniti LT -\$757.86
- j. Liberty Bank -\$6,014.40
- k. Roy M. or Nancy A. Robbins -\$137.47
- l. Arborio Corporation -\$904.17
- m. John D. & Deborah R. Schmaltz -\$10.32
- n. Anthony J. Setaro III -\$1,030.00

Motion made by A. Waters seconded by R. Newton and *unanimously carried* to approve tax refunds a - n.

2. Budget Reports

Finance Director Sylvester reported a review of the revenues show that we are where we should be at this time of the year. Expenditures took a big hit this year due to the public works department overtime for snow removal.

Mr. Newton requested a spreadsheet showing the amount of money spent on the Cider Hill Project showing money out the door for materials and the payroll amount.

Mr. Ahlquist stated that he requested the same information regarding a detailed expense report of monies spent on the Cider Hill Project in October and it was never received.

Ms. Halibozek asked Ms. Sylvester to clarify on the Cider Hill investigation if the dollars were taken from the General Fund or if they were taken from a budgeted department dollar. Ms. Sylvester indicated that the dollars (\$207,693) were taken from line #34 Public Works Highway Department.

3. Appropriate \$200,000 from General Fund fund balance to pre-fund the 2011 STEAP grant for the Dead Man Swamp & Cromwell Land Park Revitalization project, as approved by the Board of Finance. Funds will be reimbursed through the State of Connecticut.

A lengthy discussion followed.

A. Waters inquired; what the chances are that we receive the grant, and Mr. Waters expressed concerned regarding the fact that individuals own property up there and we would need to get permission from those individuals. Mr. Waters also stated that the town may have abandoned the road in the 30's. Mr. Waters stated that money is serious right now and it needs to be spent serious. Mr. Waters was unhappy with the presentation that was given the previous month including the possibility that the project may include driving golf carts around in that area.

J. Flanders replied to Mr. Waters questions; the town could not have abandoned the road without holding a public hearing and possibly a town meeting. No one wants to mess with the property owners. J. Flanders stated that he asked J. Mazurek to come up with some ideas to enhance the park & recreation area down at the north end of River Road. There is the Northeast Utility property and the tank farm property that the town may be interested in acquiring. Mr. Flanders stated that the town has made a commitment to try and revitalize the downtown area. One way to do this is to create attractions; Park & Recreation would be one of the possibilities, especially since the area lacks in traffic. If the State is willing to support the Town with a grant he is happy to accept their help. The funds will be used to see what can be done to make the property more viable.

R. Newton stated that his endorsement to accept the grant was not necessarily to endorse the project that was presented. He thinks that they may be able to accept the \$200,000 and buy some property near the River.

A. Varricchio agreed with Mr. Newton and is all in favor of purchasing the some property near the River. He is in favor of the grant but not the total project.

A. Halibozek stated that she is totally in favor of anything that is related to open space and getting people outside walking and activities outdoors.

A. Spotts agreed with Mr. Newton. From an Economic Development stand point we have been trying to better downtown; this is a good way to do this. Using State money is the way to go and make this a win-win situation.

P. Ahlquist is in favor of using State funds to acquire any riverfront property along the river for the townspeople; however with the recent developments and highlights with the overburdened Engineering and Inspection services to the Town of Cromwell they don't need to be working on another 'Wally-world project' while the rest of the town falls apart. Mr. Ahlquist is in favor if there is a clear direction from the board and the grant is substantially and primarily used to acquire riverfront property for use in the future.

A. Halibozek stated that she believes that previously they talked about forming a committee to work on this and holding a Public Hearing in the near future. The Public Hearing would bring forth people that are interested in serving on the committee.

A. Waters warned the board that the nearby channel is deep-water. A high retaining wall may be needed if a riverfront park is built in that location. **Motion** made by A. Waters seconded by A. Spotts and *unanimously carried* to appropriate \$200,000 from General Fund fund balance to pre-fund the 2011 STEAP grant for the Dead Man Swamp & Cromwell Land Park Revitalization project, as approved by the Board of Finance. Funds will be reimbursed through the State of Connecticut.

F. UNFINISHED BUSINESS

1. Discussion and action to approve Park Use Rules and Regulations. -Tabled
Item left on table

G. NEW BUSINESS

1. Discussion and action to approve Educational Assistance request from Officer M. McCarter for Spring 2011 semester. -\$1,000

Motion made by A. Waters seconded by A. Spotts and *unanimously carried* to approve Educational Assistance request from Officer M. McCarter for Spring 2011 semester. -\$1,000

2. Set dates and times for Budget Workshop Meetings.

P. Ahlquist suggested holding one of the workshops on Saturday morning to give people that find it difficult to attend evening meetings an opportunity to attend a workshop.

Motion made by R. Newton seconded by A. Varricchio and *unanimously carried* to hold the Public Hearings on Thursday March 3rd at 6:00 p.m. and Saturday March 5th at 9:00 a.m.

3. Consider amendment to Sr. Tax Abatement Program.

S. Baron, Assessor - stated that this program was developed by a committee and that she was the staff liaison to the committee. One of things that the committee wanted at that time was that those who had other people living with them that made \$80,000 per year that the town wouldn't be supporting them because they were getting a benefit by living there. Ms. Baron stated that there is still some confusion regarding the intent of b. 211-22 which talks about the qualifying income.

211-22 B. The applicant's qualifying income is the income of the applicant and the applicant's spouse, as applicable, or as defined in the State Guidelines for Elderly and Totally Disabled Tax Relief Programs. Income shall include adjusted gross income as defined in the Internal Revenue Code of 1954 as amended; Social Security benefits; railroad retirement benefits; income from other tax-exempt retirement and annuity sources; as well as any other taxable and nontaxable income, including without limitation rental income and gifts or contributions to living expenses made by any individual other than the applicant's spouse if that

individual is 22 years of age or older and his or her principal residence is the applicant's property.

When Hearing Officer T. Strong read this same paragraph she read it as Contributing Income and not as all income and this is where the confusion comes in to play. Ms. Baron stated that everyone that reads the paragraph has a different opinion. Because of the confusion at the Board of Selectmen's February 5, 2008 meeting the following recommendations were made and accepted to amend the Senior Tax Abatement Program as follows:

- Make recommendation to the Board of Finance to continue cap of 1/10 of 1 mill times the grand list.
- Increase the overall benefit by 2.4%, which is the cost of living adjustment that was given to all exempt Town Hall employees.
- Qualifying income of non-spouses over the age of 22; take the lower of whatever the actual income is or assign a rental income that would value one or any residents in the house at no more than \$600 a month or \$7,200 a year. Income of caregivers living in the home is excluded.

T. Strong is not comfortable with the above recommendation of \$7,200 and S. Baron is not comfortable with it because it is not in the Ordinance. They feel that the Ordinance should be rewritten at some point. But for right now at this point in time this maybe they should just revert back to the ordinance. The problem is that the one paragraph is misunderstood and which way they will go with that may affect many people. Currently 50 people (29%) fall into this category, 32 are renewals this year the rest are new applications. An additional problem with the program is that two people living next door to each other with the same incomes, one being married the other not are treated differently. The married couple would not qualify because they would be counted as two incomes but the neighbor next door who is not married, so one income would be counted, would qualify. T. Strong as the Appeals Officer needs to know for the appeal process if the program will be administered using Applicant and the applicant's spouse income or Household income.

A lengthy discussion followed.

Motion made by R. Newton seconded by A. Halibozek and *carried* to give the Appeals Officer T. Strong the direction that non-spouse residents should be counted as \$7,200 for now.

Aye: A. Halibozek, A. Varricchio, J. Flanders, R. Newton, A. Spotts, P. Ahlquist
Abstained: A. Waters

For the record; The Board of Selectmen gave assurance that they will back up the Appeals Officers decisions.

H. APPROVAL OF MINUTES

1. Special Meeting, January 19, 2011

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to approve the minutes of January 19, 2011 as amended.

A. Varricchio stated for the record that he believes that he abstained from voting on items N.2.a & N.3.b.

I. FIRST SELECTMAN'S COMMENTS

- First Selectman Flanders reported that the final budget documents from the departments are on his desk and he will be meeting with department heads within the next few weeks.
- Complemented the Police and Fire Departments and all town employees that were involved for the Cromwell Gardens evacuation incident.
- Commented that employee discipline cannot be discussed in a public meeting. First Selectman Flanders will determine the appropriate discipline and if the employees choose to appeal it will come before the Board of Selectmen.

J. GOOD & WELFARE

M. Camilleri -Board of Education -Mr. Camilleri advised that the Board of Education adjusted the School Calendar and reduced the February Vacation to a long weekend; schools will be in session from Tuesday through Friday. Mr. Camilleri also advised that some area of the school roofs were shoveled due to safety concerns regarding the weight of the snow. Mr. Camilleri advised that the Board of Education is requesting a 1.18 increase in the 2011/12 budget.

A. Halibozek -Commented in regard to the findings of the Cider Hill Investigation; such as a lack of communication to the Board of Selectmen including the dollars that were going to have to go for the anticipated road repairs that the board wasn't aware of. Now the money is spent and Ms. Halibozek asked what the board was going to do about it. Mr. Flanders responded that no money was spent that was not approved in the budget process. Ms. Halibozek stated that the report shows that \$207,693 was spent for materials. Mr. Flanders stated that he still feels that he had the authority to expend the funds and he did so to protect the lives of the people on Cider Hill.

A. Varricchio -Agreed with Mr. Ahlquist that better communication is needed. Mr. Ahlquist feels that they need to be more open and less critical.

R. Newton -Inquired if there will be Organizational changes in town staff during the budget process.

A. Waters -Director Public Works Director to have someone get an estimate to repair the grader. Mr. Waters hear that Mr. Hood had given orders to get rid of the grader. There are some dangerous pot holes in town that need to be filled.

A. Spotts -Requested once again that the Public Works and Engineering Department attend the monthly board meetings. Stated that guidelines need to

be followed regarding the conduct of the Assessor's Office. First Selectman Flanders stated that he takes all complaints seriously but cannot investigate anonymous complaints. Mr. Spotts reported that the Board of Education asked him to pass along a request for the Public Works Department to remove some snow so Woodside Road would be wider.

P. Ahlquist -Board should not comment on discipline issues in case it comes in front of this board for appeal and asked his fellow board members to hold their comments as well. Inquired if any Civil Action will be brought against Cider Hill. Feels that all Department Heads should attend the board meetings and that there should be better communication between the board and the First Selectman's Office. Mr. Ahlquist reminded that he previous requested a copy of the Town's Emergency Plan and he has not yet received it.

K. COMMISSION REPORTS

Waived

L. RESIGNATIONS

None

M. APPOINTMENTS

1. Board of Finance

a. Victor Harpley, Alternate, Term expires 12/12 -Tabled

Motion made by A. Varricchio seconded by R. Newton and *unanimously carried* to remove from the table.

Motion made by A. Varricchio seconded by R. Newton and *unanimously carried* to re-appoint V. Harpley as an alternate to the Board of Finance.

2. Capital Expenditures Commission

a. Victor Harpley, re-appointment, Term expires 12/14 -Tabled

Mr. Harpley withdrew his name from consideration

b. Jennifer Donohue, re-appointment, Term expires 12/14

c. Steve Regula, re-appointment, Term expires 12/14

Motion made by A. Waters seconded by R. Newton and *unanimously carried* to approve b. & c.

3. Inland Wetlands and Watercourses Agency

a. Wynn Muller, re-appointment, Term expires 12/14

Motion made by A. Waters seconded by R. Newton and *unanimously carried* to re-appoint Mr. Muller to the Inland Wetlands and Watercourses Agency.

N. ADJOURNMENT

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to adjourn the meeting at 10:15 p.m.

Respectfully submitted,

Re Matus
Re Matus
Secretary

John M. Flanders
John M. Flanders
First Selectman