

**TOWN OF CROMWELL  
BOARD OF SELECTMEN  
REGULAR MEETING  
WEDNESDAY, DECEMBER 12, 2007  
7:10 P.M. TOWN HALL ROOM 224/5**

**AMENDED MINUTES**

Present: First Selectman J. Shingleton, Deputy First Selectman F. Monnes, R. Newton,  
A. Waters, D. Murphy, R. Waters, M. Johnson

Absent:

Also Present: Chief of Police A. Salvatore, Finance Director M. Sylvester, Human  
Resource Director T. Roohr, Human Services Director T. Strong,  
Tax Collector S. Ramsay, Sewer Administrator R. Peck, Board of Finance  
Members, Chairman M. Gengler and L. Caruso, Board of Education  
Chairman S. Banic, Public and Press

**A. CALL TO ORDER**

First Selectman Singleton called the Regular Meeting to order at 7:29 p.m.

**B. APPROVAL OF AGENDA**

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

**C. FIRST SELECTMAN'S REPORT**

1. Signs
  - a. Town Hall sign is complete
  - b. Work beginning on Cromwell Landing Sign
2. Ethics

A Non-partisan Ad-Hoc Committee will be formed consisting of 3 people. It will be a non-partisan committee of one Democrat, one Republican, one Unaffiliated, and a member of the local watchdog group, Citizens for Integrity in Government. Their mission will be to draft a formal code of conduct specifically for conflict of interest. They would also help with any Ad-hoc Investigations before going to the Board of Selectmen, if any formal complaints were received. There is a ½ day workshop that deals with ethics and conflict of interest on January 30<sup>th</sup> that is sponsored by CCM. Any board members that are interested in attending should contact First Selectman Shingleton. Members of the Ad-hoc Committee will be encouraged to attend the workshop. The Employee Handbook that is on the agenda contains addresses conflict of interest and ethical issues for internal employees. The code of conduct will also apply to board members and employees for issues that the handbook doesn't address. The names of the Ad-hoc committee will be presented to the board next month for their endorsement. Several weeks ago First Selectman Shingleton received a complaint regarding a conflict of interest on the Economic Development Commission that he is

- investigating. Right now there is not enough information recorded in the minutes to investigate the matter. First Selectman Shingleton met with the Secretary for EDC and requested that the minutes include more detail and the meetings be taped. The investigation will continue, First Selectman Shingleton will report back to the board next month.
3. Last Friday First Selectman Shingleton, Public Works Director Jahn and Engineering Technician Niesyn made a site visit to the waterfront parcel of land at the south end of Main Street. They worked together to create a concept for passive recreation that will not affect the Boat Club or have any environmental impact what so ever.
  4. The Tax Office was relocated to Room 219 because their office floor was crumbling due the wood rotting out. The consensus was that a leaking radiator caused it. The repairs should be completed sometime next week. The Building Superintendent recommended putting commercial grade carpeting in all office areas and a long-range plan of tile in the halls.
  5. The Public Works crew replaced the flags outside of Town Hall because they were tattered.
  6. First Selectman Shingleton met with representatives of Riley Manor and Fox Glen to devise an Emergency Management Plan for the Retirement Communities. Emergency Management Coordinator Fred Curtin was asked to devise a plan that would help them to address all the needs that are unique to the Retirement Communities.
  7. A hearing was held in November regarding The Connecticut Recovery Resources Authority settlement for distribution of funds regarding Enron related recoveries. Cromwell's share is \$382,487 but cannot be spent at this time because there is an appeal in process. This is not something that was not planned on so it will be considered a windfall.
  8. The Town and Municipal Energy worked together and recovered a \$92,000 settlement from CL&P for Streetlight overpayment. The check was received sometime in January with an acknowledgment that it represented a full settlement. Fortunately it wasn't signed and sent back to CL&P. Municipal Energy advised to send a letter to CL&P that states that what we received will be considered as partial payment of overcharges and we do not accept this refund as final until we've have a meaningful opportunity to review records to validate the refund on our own. The Public Works Department will be brought in to conduct an internal audit.
  9. Since several businesses have closed on Main Street, First Selectman Shingleton advised the board that he has been meeting one on one with several local business owners to assure them that the Town is committed to business development in that region. They are moving forward with the Downtown Project to improve some of the Town Greens along Main Street. The next step, hopefully by next summer, is the Waterfront area. First Selectman Shingleton has earmarked \$600,000 for infrastructure improvements in the 2008 bonding proposal. Concept drawings and specs that have been done over the years will be used.

10. First Selectman Shingleton has been working with the Chief of Police, Craig Stevenson, Craig Minor, Joe Mazurek and the Town Attorney to try and find a way to unlock the northern tier area behind the transfer station.
11. First Selectman Shingleton has been looking into using the current bonding proposal to provide funding for a Senior Center in conjunction with some state and federal funds. It will be a problem to provide the details necessary to go forward with the project due to time-constraints. They will keep moving forward but in all likelihood the project will have to be removed until the Phase 2 proposal, which will take place in 2010.
12. The Skate Park is moving along nicely. The Town Planner is checking with P&Z to see if any permits are needed to move forward with the project. Requests for proposals, recycling work that has already been done in Rocky Hill are being looked at as well as looking into further grants so town funds will not have to be expended for the next phase.
13. The Woodside Intermediate Fields project is almost done. One more section of drainage and a section of sidewalks along Geer Street need to be completed. There is a noticeable improvement in the fields but there is still some ponding between the two baseball fields. The lower soccer field looks good with no standing water. The upper soccer fields still have water on them and don't look useable. Everything possible has been done to make the fields usable for the spring and it is now time to start investigating what went wrong and who is responsible. First Selectman Shingleton requested that Selectmen Al Waters create a sub-committee to investigate the matter.
14. There are vacancies that were created on the Long Range Capital Planning Committee due to the election. Board of Finance Chairman Gengler recommended that Loraine Caruso be appointed to fill the vacant Board of Finance position. The Board of Selectmen position needs to be replaced as well. Deputy First Selectman Monnes will be given first choice to fill the vacancy. Before going forward with the bonding proposal they will review the revised proposals that were made by First Selectman Shingleton. Cost savings and revenue-generated investments will be included in the proposal. Hopefully they will be ready to move forward with the bonding proposal at the next meeting.
15. First Selectman Shingleton met with the Tax Assessor regarding increasing the amount of tax relief that the town gives to veterans. The topic will be presented at the next meeting as a new business item.
16. New Legislation, House Bill # 7432 was passed that empowers the Board of Selectmen by a vote of the Board of Selectmen to exempt hybrid Motor Vehicles. It will become effective on 1/1/08. Another bill empowers only to exempt solar panel installations on homes prior to 10/1/06.
17. First Selectman Shingleton heard complaints because above ground pools were being included in the assessments. Since other towns typically exclude above ground pools and Cromwell doesn't have a town pool First Selectman Shingleton didn't feel that it was fair to assess them. After meeting with the Assessor they will be removed from the assessments.
18. The Public Works Director resigned with 60 days notice. First Selectman Shingleton and Human Resources Director Roohr are working to replace the position. The

position has been advertised in several places and as a result they have some very qualified applicants. Selectman Johnson will be included in the search as a Board of Selectmen liaison.

19. First Selectman Shingleton asked the Board to come to meetings prepared since they have a lot of work to accomplish and will be moving forward quickly. They will adhere to the formal rules of procedure; CCM is sponsoring a ½ day workshop on procedure that would be helpful especially for the members of major boards that have served one year or less. The workshop is scheduled for January 10<sup>th</sup>.

#### **D. CITIZEN COMMENTS**

1. Michael Gengler, 5 Forest Road -Chairman Board of Finance-Thanked the board for allowing Lorraine Caruso and himself to serve on the Long Range Planning Committee. Mr. Gengler handed out bonding information to the board regarding Public Finance Management Assessment criteria and asked that they pay particular attention to the section on Long Range Planning.
2. Shirley Banic, Chairman Board of Education –Invited the Board of Selectmen to attend a joint meeting on January 8<sup>th</sup> at 7:00 p.m. at the Middle School. The Board of Finance, Planning and Zoning Commission, Board of Selectmen and Board of Education members will be invited.
3. Ray Duffy, Oxford Lane – Agreed with R. Waters that the police should be friendly. Mr. Duffy has a problem with the Town Hall sign because you have to be on top of it to read it and doesn't feel that it was engineered very well. Mr. Duffy stated concern regarding several issues with the Cromwell web site and several other issues of concern.
4. Bob Jahn, Woodside Road – Stated that the fence line should be cleaned along the western border of the High School Fields and the northwest corner along the fence line at the back of the fields. Mr. Jahn doesn't feel that the Woodside Fields will be ready in the spring and would like to know when they will be ready for the students to use them? Mr. Jahn inquired when a Charter Revision Commission will be appointed and what their charge will be. Advised the board to visit the school sites in the morning and afternoon and observe the use or lack of the use of the school buses.
5. Al Diaz, Thistledown-Wished the board the best of luck and encouraged them to work as a group. Stated that the sign at Watrous Park is an eyesore and needs to be repaired or replaced and suggested that some of the CRRA refund could be used for that purpose.
6. Charlie Epstein, Crest Drive –Encouraged the board to table Appointments, #9. Planning and Zoning because they were not the people recommended for appointment by the Democratic Town Committee.
7. Robin Cassella, Main Street – Asked if the town could use some of the Enron CRRA refund could be used for playgrounds at the schools?

**E. STAFF AND COMMISSION CHAIRMAN REPORTS**

1. Economic Development Report  
Written Report submitted by EDC Consultant Craig Stevenson
2. Public Works FYI items
  - a. RFQ –Disaster Debris Monitoring Services
  - b. RFQ – Road Rehabilitation & Drainage Design Services
  - c. RFQ – Post Disaster Consulting Engineering ServicesWritten Reports submitted by Public Works Director R. Jahn.
3. Long Range Capital Planning
  - a. Discussion of Debt Impact and Proposed Capital Projects Bonding  
Finance Director Sylvester presented a written report to the Board.

**F. FINANCIAL**

1. Budget Reports
  - a. November
  - b. DecemberFinance Director Sylvester presented the budget reports. No action necessary.
2. Tax Refunds
  - a. Sold
    1. Allen Zolty - \$27.65
    2. Sean McCutchan - \$85.45
    3. VW Credit Leasing - \$151.49
    4. Kenneth W. LaMarr -\$314.21
    5. Frank Dworak -\$22.89
    6. John Corso -\$119.27
    7. GMAC -\$1,464.38
    8. Jeffrey M. Culmone -\$130.82
  - b. Donated
    1. Cecile Fazio -\$20.55
  - c. Moved
    1. Merchants Rent A Car Inc. - \$577.68
    2. Toyota Motor Credit Corp. -\$445.30
  - d. Overpayment/Duplicate Billing
    1. First Horizon Home Loans -\$1,421.85
    2. Shagbark Lumber & Farm Supplies Inc. -\$584.03
    3. Rose A. Buckie -\$193.12
  - e. Audit Adjustment
    1. Louise B. Macclain, Beautiful People - \$3,743.71
  - f. Key Equipment Finance Inc.
    1. Cromwell Printers reported on M-65 -\$249.44

**Motion** made by A. Waters seconded by F. Monnes and *unanimously carried* to approve tax refunds a – f.

3. Approve request for refund of Building Permit Fee as recommended by David Jolley, Building Official.
  - a. 5 Butternut Drive, Permit #016119, \$2,717.40.
  - b. 2 Applewood Drive, Permit #016118, \$2,545.00.
  - c. 50 Sebeth Drive, Duplicate Payment, \$175.00.

**Motion** made by F. Monnes seconded by A. Waters and *unanimously carried* to approve Building Permit Fee refunds a, b and c.
  
4. Approve expenditure of \$61,000 from Sewer CNR Fund #79260 for CWPCA approved Backhoe/Loader with Mower and Portable Zoom camera. Sewer Administrator R. Peck presented the request.

**Motion** made by A. Waters seconded by R. Waters and *unanimously carried* to approve an expenditure of \$47,000 from Sewer CNR Fund #79260 for CWPCA approved Backhoe/Loader with Mower. Approved by Board of Finance.

**Motion** made by A. Waters seconded by R. Waters and *unanimously carried* to approve an expenditure of \$14,000 from Sewer CNR Fund #79260 for CWPCA approved Portable Zoom camera. Approved by Board of Finance.
  
5. Discussion and action on 08/09 COLA for non-union, elected, part-time and seasonal employees.

First Selectman Shingleton informed the board that he researched the actual percentage of the increase in the cost of living and recommended a COLA of 2.4% for 08/09 for non-union, elected, part-time and seasonal employees.

**Motion** made by A Waters seconded by F. Monnes and *carried* to approve 2.4 % 08/09 COLA for non-union, elected, part-time and seasonal employees.

*D. Murphy recused himself and left the room.*

Aye: A. Waters, R. Newton, J. Shingleton, F. Monnes, R. Waters, M. Johnson

*Motion carried.*

#### **G. UNFINISHED BUSINESS**

1. Accept Robertson Road and Kelly Lane as Town Roads -Tabled

**Motion** made by A. Waters seconded by F. Monnes and *unanimously carried* to remove from the table.

**Motion** made by A. Waters seconded by R. Waters to accept Robertson Road and Kelly Lane as Town Roads.

Chief Salvatore informed the board that the signage was complete and approved by the Public Works Department however he wanted the board to be aware that all signage was installed on the Stop Sign pole. This could make the sign susceptible to blowing over in a windstorm. Chief Salvatore recommended that the road acceptance should not be tabled because the Public Works Department accepted the signage and the developer should not be punished.

After further discussion; **Amended Motion** made by R. Newton seconded by F. Monnes and *unanimously carried* to approve conditionally upon the developer separating the signs.

*Main Motion unanimously carried as amended to accept Robertson Road and Kelly Lane as Town Roads conditionally upon the developer separating the signs.*

## **H. NEW BUSINESS**

1. Authorize First Selectman to sign Public Health Preparedness Grant.  
**Motion** made by F. Monnes seconded by R. Waters and *unanimously carried* to authorize the First Selectman to sign Public Health Preparedness Grant.
  
2. Various Personnel Matters for review and possible approval.
  - a. Employee Handbook  
Human Resources Director T. Roohr presented the requests to the board and briefed the board on changes made to the handbook prior to the meeting.  
**Motion** made by D. Murphy seconded by R. Newton to approve the Employee Handbook.  
Discussion continued regarding 8-6, Workplace Privacy, Monitoring and Electronic Systems Use. Several members of the board objected to the policies on privacy, monitoring and use of electronic systems in the workplace.  
After further discussion; **Motion amended** by R. Newton seconded by F. Monnes and *unanimously carried* to approve the Employee Handbook with the removal of 8-6.  
*Main Motion unanimously carried as amended to approve the Employee Handbook as amended with the changes made before the meeting and the removal of 8-6. Copy of the Employee Handbook is on file in Town Clerk's Office.*
  
  - b. Service Agreement with Foley Services to conduct Background Investigations on Employment Applicants.  
**Motion** made by A. Waters seconded by F. Monnes and *unanimously carried* to approve the service agreement with Foley Services to conduct Background Investigations on Employment Applicants
  
  - c. Job Description for new Development Compliance and Zoning Enforcement Officer position, approved in budget for January 2008 start.  
**Motion** made by R. Newton seconded by R. Waters and *unanimously carried to table.*
  
  - d. Non-union Employees Guidelines, written policy concerning benefits for non-union employees.  
**Motion** made by A. Waters seconded by F. Monnes and *carried* to approve Non-union Employees Guidelines, written policy concerning benefits for non-union employees.  
Aye: M. Johnson, R. Waters, F. Monnes, J. Shingleton, R. Newton, A. Waters  
Abstained: D. Murphy  
*Motion carried*

3. Authorize First Selectman to sign Assistance Program Memorandum of Understanding with CL&P/Yankee-Gas.

Human Services Director T. Strong presented the request.

**Motion** made by F. Monnes seconded by R. Waters and *unanimously carried* to authorize the First Selectman to sign Assistance Program Memorandum of Understanding with CL&P/Yankee-Gas.

#### **I. RESIGNATIONS**

1. Inland Wetlands and Watercourses Agency
  - a. Thomas O'Neill
2. Conservation Commission
  - a. Steven W. Beck
3. Planning and Zoning Commission
  - a. Mark C. Corvo

**Motion** made by A. Waters seconded by D. Murphy and *unanimously carried* to accept resignations 1, 2 and 3 with regret.

#### **J. APPOINTMENTS**

1. Building Official
    - a. David Jolley
  2. Burning Official
    - a. Todd Gagnon
  3. Civil Preparedness Director
    - a. Fred Curtin
  4. Town Attorney
    - a. John Bradley, Rome McGuigan Sabanosh
  5. Labor Attorney
    - a. Kenneth Weinstock, Kainen, Escalera & McHale, P.C.
  6. Board of Finance
    - a. Jaimie Lee Kiefer, Alternate, term expires December 2008
  7. Cablevision, Comcast, Advisory Council
    - a. Paul Duren, term expires December 2009
  8. EMS
    - a. Charles Epstein, term expires October 2008
  9. Planning and Zoning
    - a. Linda Duren, Alternate reappointment, term expires December 2009
    - b. Alice Kelly, Regular Member, term expires November 2009
    - c. Steve Donen, Alternate Member, term expires December 2009
  10. Zoning Board of Appeals.
    - a. Ann Flaherty, Alternate, term expires November 2009
    - b. Brian Fisk, Alternate, term expires November 2009
- Motion** made by A. Waters seconded by R. Waters and *unanimously carried* to approve appointments 1 – 10 without discussion.

#### **K. APPROVAL OF MINUTES**

1. Regular Meeting, October 10, 2007

- Motion** made by F. Monnes seconded by A. Waters and *carried* to approve the minutes of the October 10, 2007 meeting.  
Aye: A. Waters, R. Newton, F. Monnes, M. Johnson  
(R. Waters and D. Murphy and J. Shingleton were not on the board at the time of the October meeting).  
*Motion carried*
2. Organizational Meeting, November 13, 2007  
**Motion** made by R. Waters seconded by F. Monnes and *carried* to approve the minutes of the November 13, 2007.  
Aye: R. Newton, J. Shingleton, F. Monnes, D. Murphy, R. Waters, M. Johnson  
A. Waters *abstained* because he did not attend this meeting.  
*Motion carried*
3. Special Meeting, November 16, 2007  
**Motion** made by A. Waters seconded by F. Monnes and *unanimously carried* to approve the minutes of November 16, 2007.

#### **L. EXECUTIVE SESSION**

1. Personnel Issue  
a. Grievance UE #222  
**Motion** made by A. Waters seconded by R. Newton and *unanimously carried* to adjourn to Executive Session at 9:15 p.m.  
**Motion** made by F. Monnes seconded by A. Waters and *unanimously carried* to come out of Executive Session at 9:25 p.m.  
No action taken.

#### **M. SELECTMEN COMMISSION REPORTS**

- M. Johnson –Zoning Board of Appeals and River-Crossing Meeting
- R. Waters-Planning and Zoning
- D. Murphy –Inland Wetlands and Watercourses Agency and Board of Education
- F. Monnes –Park & Recreation Commission, Fire Department and Library
- R. Newton –Board of Finance, Conservation Commission and Midstate Regional Planning Agency
- A. Waters –Economic Development Commission and Historical Society

**N. GOOD AND WELFARE**

A. Waters –Updated the board regarding the Outboard Association dealings with the DEP. Mr. Waters stated that the Town of Cromwell should take a firm stand to prevent Middletown from coming to the Mattabassett.

R. Newton – Advised the board that discussion is taking place for lighting the Arrigoni Bridge with low energy lights

D. Murphy-Spoke about School Zones and changing the location of the polls.

R. Waters-Spoke against Middletown joining the Mattabassett District.

M. Johnson –Thanked the members of the sign committee, Tri-State Brick Company and the Portland quarry for the work they did for the Town Hall Sign. Mr. Johnson received a letter regarding the River-Crossing Study and was surprised to see that one of the alternatives included on the menu was an Exit 19 off of Route 3. The drawings were identical to the drawings that Engineer Mazurek submitted last year. Upon further investigation by Mr. Johnson the DOT advised him that the timeline for the completion of the new Exit 19 is within 2 to 5 years.

**O. ADJOURNMENT**

**Motion** made by R. Newton seconded by A. Waters and *unanimously carried* to adjourn the meeting at 10:17 p.m.

Respectfully submitted,

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Re Matus  
Secretary

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Jeremy Shingleton  
First Selectman