

**TOWN OF CROMWELL
BOARD OF SELECTMEN
REGULAR MEETING
WEDNESDAY, JANUARY 14, 2009
7:10 P.M. TOWN HALL ROOM 224/5**

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, Director of Finance M. Sylvester, Director of Planning and Development C. Minor, Director Human Services & Senior Services T. Strong, Town Clerk/Treasurer D. DiProto, Director of Health W. Bell, Town Attorney J. Bradley, Zoning Enforcement Officer F. Curtin, Public and Press

A. CALL TO ORDER

First Selectman Shingleton called the meeting to order at 7:15 p.m.

B. APPROVAL OF AGENDA

Motion made by F. Monnes seconded by D. Murphy and *unanimously carried* to approve the agenda.

Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to amend agenda by adding New Business, G6. Approve request from Marino Crane to use Town Property at the end of River Road.

C. FIRST SELECTMAN'S REPORT

First Selectman Shingleton wished everyone a Happy New Year and hopes with the New Year they can all make a fresh start and continue the progress of the last year and hopefully avoid some of the nastiness. Civil debating on the issues will be welcome but hopes that there is no continuation of personal attacks. First Selectman Shingleton stated that for his part he regrets if he offended anyone and believes that they all have the best interest of the town at heart. If anyone has issues they should make him or H/R Director Roohr aware so the problem can be correct on a one to one basis without elevating it to this level. For his part he will try his best to lead by example and maintain the highest standard on this board. He asks board members to maintain proper decorum and follow parliamentary procedures. First Selectman Shingleton asked Town Attorney to be present to act as a Parliamentarian until they get on track. Everyone will be given a chance to speak but when we decide collectively as a board that we are to vote we should respect the decision of the total board.

First Selectman Shingleton would like everyone to work together as a team. There is a great agenda ahead this year so everyone should work together to make Cromwell a better place.

D. CITIZEN COMMENTS

1. R. Coughlin, Glenwood Terrace –Encouraged the town to keep the Emergency Plan updated. Spoke regarding the Knights of Columbus Man of the Year ceremony.
2. J. Irving and Michael Marino –Marino Crane requested use of town property to store equipment on a temporary basis.
3. H. Zalewski, Geer Street-Complemented the First Selectman.
4. A. Kelly, Willowbrook Road –Spoke regarding New Business #2. Ms. Kelly wished the board well for the coming year.
5. P. Keithan, Iron Gate Lane- Time to work together as a group for Cromwell's advancement.
6. S. Petrella, Wexford Lane – Wished the board well for the coming year and followed up regarding a letter he sent to the board.

E. FINANCIAL

1. Tax Refunds as attached to agenda.

Motion made by D. Murphy seconded by F. Monnes and *unanimously carried* to approve tax refunds 1-3.

2. Authorize the First Selectman to designate the Town Clerk to apply for a \$5,000 Historic Documents Preservation Grant.

Motion made by D. Murphy seconded by R. Waters and *unanimously carried* to authorize the First Selectman to designate the Town Clerk to apply for a \$5,000 Historic Documents Preservation Grant.

3. Approve applying for and authorizing First Selectman to sign a Technical Assistance Grant to fund a feasibility study of the Incentive Housing Zone. Director of Planning and Development C. Minor presented the request. Discussion followed.

Motion made by R. Newton seconded by F. Monnes and *carried* to authorize submission of the grant application under the Housing for Economic Growth Program referenced in section 8-13 (m-x) of CGS; and identifies First Selectman Jeremy Shingleton, as an individual authorized to sign the grant application and administer the grant.

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

4. Approve transfers in the Cromwell High School Project Budget
 - a. \$100,000 from Temporary Interest to Construction for issues related to ADA audit completed of the Office of Civil Rights upon completion of the renovation project.

Board of Education representative R. Mandeville presented the request.
Motion made by A. Waters seconded by F. Monnes and *unanimously carried* to approve \$100,000 from Temporary Interest to Construction for issues related to ADA audit completed of the Office of Civil Rights upon completion of the renovation project in the Cromwell High School Project Budget.

5. Approve refund of \$35.00 Building Permit fee #18158. Project canceled.
Motion made by R. Newton seconded by A. Waters and *unanimously carried* to approve refund of \$35.00 building permit fee #18158.
6. Ratify Telephone Poll vote of December 23, 2008. Approve re-applying for the STEAP Grant increasing the amount of the request to \$500,000 for the Northern Tier and \$350,000 for the Downtown area.
Telephone vote results:
Aye: R. Newton, J. Shingleton, F. Monnes, D. Murphy
Nay: A. Waters, R. Waters, M. Johnson
Motion made by A. Waters seconded by R. Newton and *unanimously carried* to ratify telephone poll vote of December 23, 2008 to approve re-applying for the STEAP Grant increasing the amount of the request to \$500,000 for the Northern Tier and \$350,000 for the Downtown area.
7. Ratify Telephone Poll vote of December 16, 2008. Would you support closing Hillside Road Extension for 3-4 weeks to allow Marino Crane to utilize the road for a staging area?
Telephone vote results; unanimously carried to approve.
Motion made by R. Waters seconded by R. Newton and *unanimously carried* to ratify telephone poll vote of December 16, 2008 to support closing of Hillside Road Extension for 3-4 weeks to allow Marino Crane to utilize the road for a staging area.
8. Approve request for Educational Assistance for Winter Session from Sergeant E. Kosinski in the amount of \$1,000.00.
Motion made by A. Waters seconded by F. Monnes and *unanimously carried* to approve request for Educational Assistance from Sergeant Kosinski for the Winter Session in the amount of \$1,000.
9. Approve request from CAS Construction to release of Road Maintenance Bond for Robertson Road and Kelly Lane.

Motion made by A. Waters seconded by R. Waters to approve request from CAS Construction to release Road Maintenance Bond for Robertson Road and Kelly Lane. Discussion followed regarding concern over present condition of the roads including raised man-hole covers and broken curbing.

Motion and second withdrawn.

Zoning Enforcement Officer F. Curtin was called to the podium and asked to inspect the roads along with Engineering Tech. B. Niesyn and report back to the First Selectman in a timely manner so CAS Construction will not have to wait until the February meeting to have the bond released. The report will be made available to the members of the board and a phone poll vote will be taken to release the bond if the roads are in satisfactory condition.

10. Approve applying for and authorize First Selectman to sign a Title III Grant funding Older Americans Act for fiscal year 2010.
Human Services and Senior Services Director T. Strong presented the request.
Motion made by F. Monnes seconded by R. Newton and *unanimously carried* to authorize First Selectman to apply for and sign a Title III Grant funding Older Americans Act for fiscal year 2010.

11. Authorize First Selectman to sign Bond Counsel Service with Shipman & Goodwin LLP.
Motion made by D. Murphy seconded by M. Johnson and *unanimously carried* to authorize First Selectman to sign Bond Counsel Service agreement with Shipman & Goodwin LLP.

12. Authorize the First Selectman to sign the financing agreement with Bank of America.
Attorney John Bradley was available to answer any questions. Board of Finance Chairman M. Gengler stated that the Board of Finance would have no objection to the First Selectman signing the agreement.
Motion made by D. Murphy seconded by R. Newton and *unanimously carried* to authorize First Selectman to sign financing agreement with Bank of America.

F. UNFINISHED BUSINESS

1. Update from Ethics Commission.
Informative update provided by Code of Ethics Sub-Committee members R. Coughlin and M. Ruske.
Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to endorse the policy and definitions as presented.

G. NEW BUSINESS

1. Grievance UPSEU
 - a. Grievance of Employee Discipline
First Selectman Shingleton set the ground rules in place.
Human Resources Director T. Roohr presented the Town's side on behalf of the First Selectman.
Union Representative M. Lewis spoke briefly regarding the procedure.
Grievant C. Minor presented his grievance to the board.
Motion made by F. Monnes seconded by R. Newton and *carried* to move to Executive Session for deliberations at 8:55 p.m.
Aye: A. Waters, R. Newton, J. Shingleton, F. Monnes, R. Waters, M. Johnson
D. Murphy left the room and was unavailable to vote.
Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to come out of Executive Session at 9:13 p.m.
Motion made by D. Newton seconded by F. Monnes and *unanimously carried* to uphold decision of the First Selectman and reduce the suspension to one day unpaid.

2. Restatement of Amendment to the POCD regarding Residential Open Space per January 6th memo.

Director of Planning and Development C. Minor was available to answer questions. Planning and Zoning Commission member A. Kelly was present and provided input to the board.

Motion made by F. Monnes seconded by D. Murphy to approve restatement of amendment to the POCD regarding Residential Open Space.

Discussion followed.

Motion and second withdrawn.

Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to restate amendment to the POCD as scenario A as described by the Chairman of Planning and Zoning (attached to minutes).

3. Formally receive Blighted Properties List for the record, with action to be taken to accept or modify within 75 days, per Blight Ordinance.

Health Director W. Bell presented the list to the board.

Discussion followed.

Blight list (attached to minutes) accepted by general consent with action to be taken to accept or modify within 75 days, per Blight Ordinance.

4. Authorize First Selectman to sign Connecticut Energy Independence Act Sales and Service Agreement with EnerNOC Inc.

Motion made by D. Murphy seconded by R. Waters and *unanimously carried* to authorize First Selectman to sign Connecticut Energy Independence Act Sales and Service Agreement with EnerNOC Inc.

5. Discussion and authorization for First Selectman to sign agreement Between Cromwell/Portland for Animal Shelter.

Motion made by A. Waters seconded by D. Murphy and *unanimously carried* to authorize First Selectman to sign agreement between Cromwell/Portland for Animal Shelter.

6. Approve request from Marino Crane to use Town Property at the end of River Road.

Motion made by A. Waters seconded by R. Waters and *unanimously carried* to allow Marino Crane to use town property at end of River Road for the time required.

H. RESIGNATIONS

None

I. APPOINTMENTS

1. Insurance Commission
 - a. Wendy F. Albert
 - b. Kevin Francis
2. School Roofs and Solar Panels Building Committee
 - a. Jim Barrett

- b. Diana Bercury
- 3. Committee to Support People with Disabilities
 - a. Dr. Barbara Kuznesof-Knee

Motion made by A. Waters seconded by F. Monnes and *unanimously carried* to approve appointments 1 – 3.

J. APPROVAL OF MINUTES

- 1. Regular Meeting, November 12, 2008.
- 2. Special Meeting, November 18, 2008.
- 3. Special Meeting, December 4, 2008.

Motion made by A. Waters seconded by D. Murphy and *unanimously carried* to approve 1-3.

K. ADJOURNMENT

Motion made by D. Murphy seconded by F. Monnes and *unanimously carried* to adjourn the Regular Meeting at 10:03 p.m.

Tax Refund List

- 1. Honda Lease Trust -\$24.77
- 2. Janice Loomis -\$98.29
- 3. Merchants Rent a Car Inc. -\$344.20

Respectfully submitted,

Re Matus
Secretary

Jeremy Shingleton
First Selectman