

**TOWN OF CROMWELL
BOARD OF SELECTMEN
REGULAR MEETING
WEDNESDAY, APRIL 8, 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, R. Waters, M. Johnson

Absent: D. Murphy

Also Present: Director of Finance M. Sylvester, Library Director E. Branciforte, Human Resource Director/Risk Manager T. Roohr, Emergency Management Director F. Curtin, Senior Services/Human Services Director T. Strong, Assessor S. O'Neil, Tax Collector S. Ramsay, Town Attorney J. Bradley, Superintendent of Schools M. Bisceglia, Director Operations Services R. Mandeville, Public and Press

A. CALL TO ORDER

First Selectman Shingleton called the meeting to order at 7:10 p.m.

B. APPROVAL OF AGENDA

Motion made by A. Waters seconded by R. Newton and *unanimously carried* to amend the agenda and add J. Resignations, 1. Planning and Zoning, a. B. McGuiness and K. Appointments, 5. Planning and Zoning, a. Joseph Garofalo, Regular Member, term expires 11/09.

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

C. FIRST SELECTMAN'S REPORT

First Selectman Shingleton reported good progress on the Riverport Park at Frisbee Landing, the Downtown Project and the Road Reconstruction Projects. Other local projects are also being planned such as Nooks Hills Road and Willowbrook Road. Other sources of revenue are being explored; such as the \$293,388 recently approved for Urban Connector Roads by the Mid-State Regional Planning Agency. They continue to work on obtaining stimulus funds for shovel ready projects. Cromwell currently has five projects in the running and hopefully at least two will be approved. First Selectman Shingleton reported that feedback received from the public on this year's budget has been positive.

D. STAFF REPORTS

1. Library Commission
Library Director E. Branciforte presented the report.
2. Parks & Recreation
Recreation Director Schein provided a written report.
3. Insurance & Risk Management
Risk Manager Roohr presented the report.

4. Emergency Management

Director Curtin presented the report.

E. CITIZEN COMMENTS

1. Edward Long, Middlesex Glass & Greenhouse –Spoke regarding recent dealings with the Tax Assessor.
2. Ray Duffy, Oxford Lane –Spoke regarding the Assessor.
3. Paul Cordone, Raymond Place –Spoke in favor of F. 3a. Playground equipment.
4. Mike Camilleri, Centerwood Drive –Spoke in favor of F.3a. Playground equipment.
5. Rod Goulet, Northeastern Motor Sports LLC – Spoke regarding the Assessor’s Office.
6. Lori McKnight and Al Spotts, Co-Chairman Riverport Festival – Spoke regarding several issues regarding the Riverport Festival.
7. Vinny Bonelli, Evergreen Road – Spoke regarding the Assessor.
8. Sharon Ramsay, Tax Collector, Harrison Drive– Spoke regarding item F2.
9. Michael Slifer, Pond View Drive –Stated that zone changes should never be considered, by any board that would result in the majority of the current businesses in that zone becoming non-conforming.
10. Helen Zaleski, Geer Street –Spoke against F 3.a Playground Equipment.
11. Bob Jahn, Woodside Road –Spoke regarding F.3. Playground Equipment.
12. Linda Dworak, Willowbrook Road – Co-Chairman Project Recess Rescue – Spoke in favor of F.3. Playground Equipment.

F. FINANCIAL

1. Tax Refunds as attached to agenda.

Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to approve tax refunds 1 – 9.

2. Apply abatement for active service member retroactively for the Grand List of 2006 in the amount of \$213.46 and 2007 in the amount of \$367.78.

First Selectman Shingleton presented the request. Assessor O’Neil and Tax Collector Ramsay provided information to the board regarding the request. A lengthy discussion followed. First Selectman Shingleton stated that a policy would be needed so all such requests are handled fairly and uniformly in the future.

Motion made by R. Waters seconded by A. Waters to eliminate interest and penalties except for the Marshals fees if paid within 20 days of her return.

After further discussion First Selectman Shingleton recommended tabling the item and stated that he would work on a policy and bring it back to the board at the May meeting.

Motion made by A. Waters seconded by R. Newton and *unanimously carried to table*.

3. Approve the supplemental items within the Woodside Intermediate School building project as requested by the Board of Education:

Superintendent of Schools M. Bisceglia spoke regarding the request.

- a. Playground Equipment - \$85,000

- b. Courtyard Re-Vegetation - \$15,000
- c. Energy Conservation Additions - \$15,000

Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to approve a, b and c.

4. Approve appropriation transfers within the WIS project fund to cover expenditures as authorized.

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to approve appropriation transfers within the WIS project fund to cover expenditures as authorized.

5. Approve Other Fund 09/10 Budgets

- a. Dog Fund

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to approve a., c. and d. as recommended and b as amended.

- b. Sidewalk Fund

Motion made by R. Newton seconded by Al Waters and *unanimously carried* to amend the original motion to re-appropriate the Sidewalk Fund Balance of \$44,080 that is in place from the past two years.

- c. Sewer Usage Fund

- d. Sewer Assessment Fund

- e. Authorize First Selectman to set time and date of Special Town Meeting for Other Fund 09/10 budgets.

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to authorize First Selectman to set time and date of Special Town Meeting for Other Fund 09/10 budgets.

6. Discussion and action to waive duplication of \$180.00 Wetlands permit fee for 95 South Street.

First Selectman Shingleton presented the request. Zoning and Wetlands Enforcement Officer F. Curtin and the resident from 95 South Street provided additional information to the board regarding the request.

Motion made by R. Newton seconded by R. Waters and *unanimously carried* to approve waiving the \$180.00 Wetlands permit fee for 95 South Street.

7. Discussion and Approval for the Police Department to apply for the 2009 Recovery Act: Edward Byrne Memorial Justice Assistance grant (JAG) Formula Program: Local Solicitation in the amount of \$13,959.

Chief A. Salvatore presented the request. The funds will be used to purchase a storage system that was requested through CNR. The approval of the grant will allow the CNR request to be withdrawn.

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to authorize the Police Department to apply for the 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant -\$13,959.

8. Transfer funds from the General Fund fund balance to the CNR Fund and appropriate funds within the CNR fund for the purchase of a street sweeper.
Motion made by R. Newton seconded by R. Waters and *unanimously carried* to approve transfer from the General Fund fund balance to the CNR Fund and appropriate funds within the CNR fund for the purchase of a street sweeper.

G. UNFINISHED BUSINESS

None

H. EXECUTIVE SESSION (moved to end of meeting, minutes regarding the Executive Session were taken by Acting Secretary J. Shingleton)

Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to adjourn to Executive Session at 10:30 p.m.
Attorney Bradley and H/R Director Roohr were invited into Executive Session.

1. Strategy with respect to pending claims.

Motion made by F. Monnes seconded by D. Newton and *unanimously carried* to come out of Executive Session at 11:05 p.m.

Motion made by D. Newton seconded by F. Monnes to settle claim.

Aye: R. Newton, F. Monnes

Nay: R. Waters, M. Johnson

Abstained: A. Waters, J. Shingleton

Motion failed

Motion made by R. Newton seconded by F. Monnes and *unanimously carried* to adjourn to Executive Session at 11:08 p.m.

Attorney Bradley and H/R Director Roohr were invited into Executive Session.

Motion made by F. Monnes seconded by D. Newton and *unanimously carried* to come out of Executive Session at 11:30 p.m.

2. Strategy with respect to collective bargaining.

- a. Action if necessary.

Motion made by D. Newton seconded by F. Monnes and *unanimously carried* to approve white collar union contract as proposed.

I. NEW BUSINESS

1. Approve and authorize the First Selectman to sign The Fair Housing Resolution, The Fair Housing Policy Statement, The Compliance with Title VI of the Civil Rights Act of 1964 and the ADA Municipal Grievance Procedure.

Motion made by A. Waters seconded by F. Monnes and *unanimously carried* to approve and authorize First Selectman to sign The Fair Housing Resolution, The Fair Housing Policy Statement, The Compliance with Title VI of the Civil Rights Act of 1964 and the ADA Municipal Grievance Procedure.

2. Authorize First Selectman to set time and date of public hearing for Senior Services Ordinances.

Motion made by R. Newton seconded by R. Waters and *unanimously carried* to authorize the First Selectman to set time and date of public hearing for Senior Services Ordinances.

3. Authorize the First Selectman to set time and date of Annual Town Meeting.

Motion made by R. Newton seconded by R. Waters and *unanimously carried* to authorize the First Selectman to set time and date of Annual Town Meeting.

4. Resolution to send Fiscal 09/10 Budget to Referendum Vote.

Motion made by R. Newton seconded by R. Waters and *unanimously carried* to adopt resolution to send Fiscal 09/10 Budget to Referendum Vote.

First Selectman Shingleton advised the board that the Annual Town Meeting date will be May 12th and the Referendum will be held on May 16th.

5. Discussion and possible action for a Community Garden at Evergreen Park.

No action taken. The consensus of the board was favorable to establish a Community Garden for this year.

J. RESIGNATIONS

1. Planning and Zoning

Barry McGuiness

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to accept Mr. McGuiness's resignation with regret.

K. APPOINTMENTS

1. Economic Development Commission

a. Robert Jahn, reappointment, Regular Member, Term expires 3/13

2. Capital Expenditures Commission

a. Steve Regula, reappointment, Term expires 12/10

3. Connecticut River Valley & Shoreline Visitors Council

a. Steven Gorss, reappointment, Term expires 3/12

4. Conservation Commission

a. Ernest Pandolfe, reappointment Regular Member, Term expires 1/13-Tabled
Left on table.

5. Planning and Zoning

a. Joseph Garofalo, to fill a vacancy, Regular Member, Term expires 11/09.

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to approve appointments 1,2,3 and 5. (#4 left on table.)

L. APPROVAL OF MINUTES

1. Budget Workshop Meeting March 5, 2009 –Tabled
2. Budget Workshop Meeting March 10, 2009 –Tabled
3. Regular Meeting, March 11, 2009
4. Special Meeting, March 16, 2009

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to remove #1 & #2 from the table and approve #1, 2, 3 and 4.

M. LIAISON REPORTS

- M. Johnson, Economic Development Commission & Zoning Board of Appeals
- R. Waters, Planning and Zoning Commission
- D. Murphy, Board of Education, Committee to Support People with Disabilities, Inland Wetlands and Watercourses Agency and Cromwell Water Pollution Control
- F. Monnes, Library Commission, Park & Recreation Commission, Fire District and Senior Services Advisory Board
- D. Newton, Board of Finance, Conservation Commission and Midstate Regional Planning Agency
- A. Waters, Historical Society and Capital Expenditures

N. GOOD & WELFARE

Topics that were discussed included the Assessor's Office, the proposed Propane Tanks that were discussed at the P&Z meeting and the option of choice for the proposed Exit 19.

O. ADJOURNMENT

Motion made by Fran Monnes seconded by Dick Newton and *unanimously carried* to adjourn the meeting at 11:30 p.m.

Respectfully submitted,

Re Matus
Secretary

Jeremy Shingleton
First Selectman

Tax Refund List

1. Kelly King	\$	117.47
2. Shaun Buggie		131.23
3. ARI Fleet LT		206.80
4. Shunpike West Limited Partnership		17,383.58
5. Olga I. Bazhenova		1,164.24 *
6. Gregg & Kristin Irvine		56.85 *
7. Stephen T. & Diane M. Crescimanno		184.12 *
8. John & Pamela Wilson		371.68 *
9. First American Tax Service		9,250.58

Payable to Wells Fargo Bank – Check total \$1776.89