

Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

**Board of Selectmen Regular Meeting Agenda
Thursday, November 3, 2011
Colchester Town Hall**

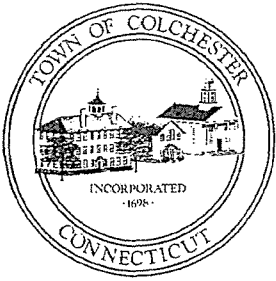
Meeting Room 1 –7:00pm

Received for record at Colchester, Conn.
on 11-1-11 at 11:27 a.m.

Attest, Nancy A. Bray, Town Clerk

1. Call to Order
2. Additions to the Agenda
3. Approve Minutes of the October 20, 2011 Commission Chairmen Meeting
4. Approve Minutes of the October 20, 2011 Regular Board of Selectmen Meeting
5. Citizen's Comments
6. Boards and Commissions – Interviews and/or Possible Appointments and Resignations
 - a. Historic District Commission. Alternate reappointment for a three-year term to expire on 11/30/2014. Linda Ackerman to be interviewed.
 - b. Parks and Recreation Commission. Member reappointment for a four-year term to expire on 11/30/2015. Eric Kundahl to be interviewed.
 - c. Parks and Recreation Commission. Alternate reappointment for a four-year term to expire on 11/30/2014. Clint Williams to be interviewed
 - d. Parks and Recreation Commission. Member reappointment for a four-year term to expire on 11/30/2015. Jody Barr to be interviewed.
 - e. Commission on Aging. Resignation of Theresa Hendrickson.
 - f. Commission on Aging. Resignation of Suzanne Maikshilo.
 - g. Building Committee. Resignation of Steven Wells.
 - h. Building Committee. Discussion and Possible Appointment of Members or Provisional Alternates.
 - i. John Avery, Sharon Boski, Justin Bunton, Nancy Cordova, John Carroll, Robert Dennehy, Steven Kardys, Robert Sosnoski, William Sullivan,
 - i. Agriculture Commission. Discussion and Possible Appointment of Members and Alternates.
 - i. Joanne Becker, Leslie Curtis, Olivia Duska, Elizabeth Gillman, Andrew Lyons, Alex Savitsky, Jeff Savitsky, David Wasniewski

7. Budget Transfers
8. Tax Refunds & Rebates
9. Discussion and Possible Action on Buckley Estates Subdivision Bond
10. Discussion and Possible Action on Prospect Hill Re-Subdivision Bond
11. Discussion and Possible Action on Community Publications Contract
12. Discussion and Possible Action on Fuel Purchase
13. Discussion and Possible Action on Memorandum of Agreement between Town and
MEUI, Local 506, SEIU, AFL-CIO, CLC
14. Citizen's Comments
15. First Selectman's Report
16. Liaison Report
17. Adjourn



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

Commission Chairmen Special Meeting Minutes
Thursday, October 20, 2011
Colchester Town Hall – 7:00PM
Meeting Room 1
REVISED

Received for record at Colchester, Conn.
on November 1, 2011 at 2:58 p.m.
Attest, Nancy A. Bray, Town Clerk

MEMBERS PRESENT: First Selectman Gregg Schuster, Selectman James Ford, Selectman Stan Soby, Selectman Greg Cordova, and Selectman Rosemary Coyle.

MEMBERS ABSENT:

OTHERS PRESENT: Ron Goldstein, Joe Mathieu, Steve Cohn, Jack Faski, and other citizens.

1. Call to Order

First Selectman G. Schuster called the meeting to order at 7:00 p.m.

2. Commission Updates – Commission Chairs

Ron Goldstein reported that the **Board of Education** had a successful opening of schools with 3,029 students enrolled, the budget cycle is starting up again, the Board is discussing teacher evaluation processes, and it has put together a group to spearhead a "Teacher Leaders" program.

Stephen Cohn reported that the **Economic Development Commission** has had a quiet summer but received two CTIP applications and approved one. There are two vacancies on the Board now and is looking for volunteers to fill the slots.

Jack Faski reported that the **Fair Rent Commission** has received some inquiries on fair rent and heating issues. Two people have expressed interest in being appointed to the Fair Rent Commission and are up for appointment at tonight's Board of Selectmen meeting. The Commission is still interested in and looking for other volunteers.

Joseph Mathieu reported that the **Planning and Zoning Commission** approved Tractor Supply recently and commended Town Hall staff on their efforts on this project. The Commission is continuing to work on updating the Land Use Regulations. The Town has fewer free-standing A-frame signs due to a sweep by the Zoning Enforcement Officer, which was really more of an educational campaign with regards to following the town zoning regulations; it was deemed helpful by businesses and a success.

Steve Petty reported that the **Police Commission** is continuing to work on the Rules and Regulations and strategic goals for the department and that the new uniforms have been adopted and are currently being worn by the officers.

Richard LeMay reported that the **Sewer & Water Commission** has been working on many projects with the water system, including a system to distribute the water better which will enhance the water quality, there have been no main breaks this past quarter, the treatment and processing plant work well with all the rain the Town has received lately, there has been diligent collection of delinquent sewer and water bills, a short and long term capital improvement plan is being developed, the commission is working on a new water supply plan, and they are working with DEEP on a new I&I plan.

Pam Scheibelein reported that the **Youth Services Advisory Board** is waiting on a new van and there will be a large event on 06/09/12 on the Town Green called, "Tye-Dye Family Fun Fest," which will showcase for families all the services that Youth & Social Services provides residents of the Town. There are two vacancies on the Board and the Board is sending a letter to all parents of children who have used Youth Services asking them if they could volunteer and be on the Board. There will be the annual Youth & Social Services bake sale fund raiser at Town Hall on Election Day.

No reports received from:

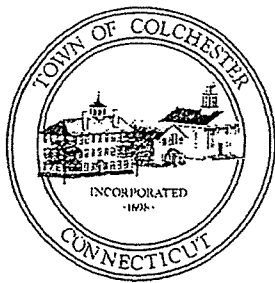
Rose Levine concerning the Commission on Aging
Dave Anderson concerning the Board of Assessment Appeals
Bruce Hayn concerning the Board of Finance
Merja Lehetinen concerning the Cable Advisory Committee
Falk Von Plachecki concerning the Conservation Commission
Genea Bell concerning the Ethics Commission
Ellen Sharon concerning the Historic District Commission
Jan LaBella concerning the Housing Authority
Nick Norton concerning the Open Space Advisory Committee
Sean O'Leary concerning the Parks & Recreation Commission
Brendan Healy concerning the Police Retirement Board
Laurie Robinson concerning the Zoning Board of Appeals

3. Adjourn

R. Coyle moved to adjourn the Commission Chair Meeting at 7:20 p.m., seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

Respectfully submitted,

Derrick M. Kennedy
Executive Assistant to the First Selectman



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

Board of Selectmen Regular Meeting Minutes Thursday, October 20, 2011 Colchester Town Hall

Meeting Room 1 – Immediately Following the Commission Chairmen Meeting at 7:00pm

MEMBERS PRESENT: First Selectman Gregg Schuster, Selectman James Ford, Selectman Stan Soby, Selectman Greg Cordova, and Selectman Rosemary Coyle

MEMBERS ABSENT:

OTHERS PRESENT: Derrick Kennedy and other citizens.

1. **Call to Order**
First Selectman G. Schuster called the meeting to order at 7:20 p.m.
2. **Additions to the Agenda**
None.
3. **Approve Minutes of the October 6, 2011 Regular Board of Selectmen Meeting**
G. Cordova moved to approve the minutes of the October 6, 2011 Regular Board of Selectmen meeting, seconded by S. Soby. G. Cordova abstained. All other Selectmen approved. MOTION CARRIED.
4. **Citizen's Comments**
None.
5. **Boards and Commissions – Interviews and/or Possible Appointments and Resignations**
 - a. **Agriculture Commission. Joanne Becker to be interviewed.**
Joanne Becker was interviewed.
 - b. **Agriculture Commission. David W. Wasniewski to be interviewed.**
David W. Wasniewski was interviewed.
 - c. **Conservation Commission. Member reappointment for a three-year term to expire on 10/31/2014. Susan Bruening to be interviewed.**
R. Coyle moved to re-appoint Susan Bruening as a member to the Conservation Commission for a three-year term to expire on 10/31/2014, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
 - d. **Conservation Commission. Alternate reappointment for a three-year term to expire on 10/31/2014. Andrew George to be interviewed.**
R. Coyle moved to re-appoint Andrew George as an alternate to the Conservation Commission for a three-year term to expire on 10/31/2014, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

For filing for records at Colchester, Conn.
October 21, 2011 at 10:30 AM.
Attest, Nancy A. Bray, Town Clerk

- e. **Economic Development Commission. Member reappointment for a five-year term to expire on 10/31/2016. Steve Cohn to be interviewed.**
R. Coyle moved to re-appoint Steve Cohn as a member to the Economic Development Commission for a five-year term to expire on 10/31/2016, seconded by J. Ford. Unanimously approved. MOTION CARRIED.
- f. **Fair Rent Commission. Member appointment for a two year term to expire on 10/31/2013. Kimberley Russo was interviewed on 10/6/2011.**
S. Soby moved to appoint Kimberley Russo as a member to the Fair Rent Commission for a two-year term to expire on 10/31/2013, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
- g. **Fair Rent Commission. Member appointment for a two year term to expire on 10/31/2013. Samantha Van Zilen was interviewed on 10/6/2011.**
S. Soby moved to appoint Samantha Van Zilen as a member to the Fair Rent Commission for a two-year term to expire on 10/31/2013, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
- h. **Historic District Commission. Alternate reappointment for a three-year term to expire on 11/30/2014. Linda Ackerman to be interviewed.**
Linda Ackerman was absent.
- i. **Historic District Commission. Member reappointment for a three-year term to expire on 11/30/2014. Michael Trocchi to be interviewed.**
R. Coyle moved to re-appoint Michael Trocchi as a member to the Historic District Commission for a three-year term to expire on 11/30/2014, seconded by J. Ford. Unanimously approved. MOTION CARRIED.
- j. **Parks and Recreation Commission. Member reappointment for a four-year term to expire on 11/30/2015. Eric Kundahl to be interviewed.**
Eric Kundahl was absent.
- k. **Parks and Recreation Commission. Alternate reappointment for a four-year term to expire on 11/30/2014. Clint Williams to be interviewed.**
Clint Williams was absent.
- l. **Parks and Recreation Commission. Member reappointment for a four-year term to expire on 11/30/2015. Jody Barr to be interviewed.**
Jody Barr was absent.
- m. **Police Commission. Member reappointment for a three-year term to expire on 11/30/2014. Steve Petty to be interviewed.**
J. Ford moved to re-appoint Steve Petty as a member to the Police Commission for a three-year term to expire on 11/30/2014, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
- n. **Building Committee. Resignation of Theresa Hendrickson.**
R. Coyle moved to accept the resignation of Theresa Hendrickson from the Building Committee, with regret, seconded by J. Ford. G. Cordova recused himself from action. Unanimously approved. MOTION CARRIED.

o. Building Committee. Discussion and Possible Appointment of Members or Provisional Alternates.

- i. John Avery, Sharon Boski, Justin Bunton, Nancy Cordova, John Carroll, Robert Dennehy, Steven Kardys, Robert Sosnoski, William Sullivan, Joseph A. Delucia Jr.**

S. Soby moved to appoint Joe DeLucia, Jr. as a member to the Building Committee, seconded by R. Coyle. G. Cordova recused himself from action. Unanimously approved. MOTION CARRIED.

Discussion on alternates.

6. Budget Transfers

None.

7. Tax Refunds & Rebates

S. Soby moved to approve tax refunds in the amount of \$18.61 to Patrick Madden, \$4.66 to Patrick Madden, \$11.12 to Joyce Madden, \$41.10 to Joyce or Patrick Madden, \$274.52 to Honda Lease Trust, \$4.91 to Mark or Jodi Ogle, \$10.08 to James B. Seger, \$835.73 to Ally Financial (formally GMAC), \$33.28 to Jerome or Donna Thompson, \$3.87 to Walter or Kathleen Smolenski, \$38.77 to Christopher Markovitz, \$3,259.10 to CEDEX Associates, LLC, \$65.43 to Nancy L. Demorest, \$118.83 to Joseph F. Colella, \$34.64 to Joseph F. Colella, \$5.69 to Carla Ann Iezzi, and \$39.60 to David Lee; seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

8. Discussion and Possible Action on Board of Selectmen Bylaws

R. Coyle moved to amend the Board of Selectmen by-laws as recommended by the First Selectman, seconded by S. Soby. Unanimously approved. MOTION CARRIED.

9. Discussion and Possible Action on 2012 Board of Selectmen Regular Meeting Schedule

R. Coyle moved to approve the 2012 Board of Selectmen regular meeting schedule as recommended by the First Selectman, seconded by J. Ford. Unanimously approved. MOTION CARRIED.

10. Discussion and Possible Action on 2012 Board and Commission Chairmen Meeting Schedule

S. Soby moved to approve the 2012 Board and Commission Chairmen meeting schedule as recommended by the First Selectman, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

11. Citizen's Comments

Civics student questioned in what circumstances a member of a board or commission may not be re-appointed.

12. First Selectman's Report

First Selectman G. Schuster reported that an ambulance is out of service after striking a deer, State funding for the sewer expansion is on the October Bond Commission agenda, there seems to be a higher rate of motor vehicle accidents or incidents involving motor vehicles in town lately and that an internal task force is being established to review statistics, and last week the Southeastern Connecticut Council of Governments met with executives of CL&P to discuss responses to Tropical Storm Irene.

13. Liaison Report

J. Ford reported that the Conservation Commission is considering new applications, a final resolution of enforcement action resulted in a positive outcome, the annual CACIWC conference will be coming up, and members will be attending a commission training program. He further reported that the Friends of Cragin Library recently held their annual book sale and it was another success.

S. Soby referred his update on the Planning & Zoning Commission to the Commission Chairmen meeting notes. He further reported that the Zoning Board of Appeals closed the hearing of an appeal and decided to uphold the action on the Zoning Enforcement Officer.

14. Executive Session to Discuss Contract Negotiations with Colchester-Hayward Volunteer Fire Company

R. Coyle moved to enter into executive session to discuss contract negotiations with Colchester-Hayward Volunteer Fire Company, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

Entered into Executive Session at 8:30 p.m.

Exited from Executive Session at 9:01 p.m.

15. Executive Session to Discuss Employee Request for Hardship Withdrawal from Retirement Account

J. Ford moved to enter into executive session to discuss employee request for hardship withdrawal from retirement account, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

Entered into Executive Session at 9:02 p.m.

Exited from Executive Session at 9:04 p.m.

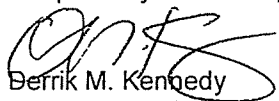
16. Discussion and Possible Action on Employee Request for Hardship Withdrawal from Retirement Account

G. Cordova moved to approve the employee request for hardship withdrawal from retirement account, seconded by J. Ford. Unanimously approved. MOTION CARRIED.

17. Adjourn

G. Cordova moved to adjourn at 9:05 p.m., seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

Respectfully submitted,



Derrick M. Kennedy
Executive Assistant to the First Selectman

Attachments:

- Revised Board of Selectmen Bylaws
- 2012 Board of Selectmen Regular Meeting Schedule
- 2012 Board and Commission Chairmen Schedule

TOWN
OF
COLCHESTER

BOARD OF SELECTMEN

BYLAWS

Approved: Board of Selectmen, March 16, 2006

Updated: Board of Selectmen, October 20, 2011

TOWN OF COLCHESTER
BOARD OF SELECTMEN – BYLAWS

SECTION 1. PURPOSE AND AUTHORIZATION

The name of the board shall be the 'Board of Selectmen of the Town of Colchester' (the Board). The purpose of the Board is to manage and oversee the internal operations of the Town. The Board of Selectmen oversees all Town Departments, Boards and Commissions and any office the Board fills by appointment.

The Board shall have all of the rights, powers and duties respectively conferred upon Board of Selectmen pursuant to the Connecticut General Statutes, as amended, and Town of Colchester Charter, Section #401, #402, #403, #404 and #405.

SECTION 2. OFFICE OF THE BOARD

The office of the Board shall be the Colchester Town Hall where the Board records will be maintained. All correspondence shall be addressed to the Board c/o the Office of the First Selectman, 127 Norwich Avenue, Colchester, CT 06415. Copies of all agendas, minutes and resolutions of the Board shall be filed or recorded with the Office of the Town Clerk.

SECTION 3. MEMBERSHIP

- A. The Board shall consist of five (5) members elected in accordance with the provisions of the town Charter.
- B. All members of the Board shall participate fully in Board meetings and activities and shall have such duties as may from time to time be assigned by the Board.
- C. Resignation from the Board shall be in written form and transmitted to the Town Clerk who shall promptly forward same to the Board of Selectmen.

SECTION 4. BOARD MEETINGS

- A. The Board shall hold regular meetings at 7:00 p.m. on the first and third Thursday of every month, except when the Town Hall is closed due to public holiday or some other reason. In the event of such a scheduling conflict, an alternative meeting date may be scheduled by the Board. All meetings of the Board are open to the public, as required by the Connecticut General Statutes, unless otherwise specified.

- B. A quorum shall consist of three members.
- C. Minutes of the Board's meetings and hearings shall be kept and published in accordance with the Connecticut General Statutes.
- D. All mail addressed to the Board shall be presented by the First Selectman to the Board at its first meeting held after such mail has been delivered to the Board c/o The Office of the First Selectman. All mail shall be deemed 'received' when so presented.
- E. All regular and special meetings of the Board of Selectmen shall be audio recorded. Emergency meetings shall be audio recorded if possible. All recordings shall be made available to the public. The provisions of this section shall not apply to executive sessions.

SECTION 5. COMMITTEES AND COMMITTEE CHAIRMEN

- A. From time to time, the Board of Selectmen may appoint such committees as may be deemed necessary or desirable. Any committee so appointed shall have the duties or responsibilities assigned to it at the time of appointment. The meetings of any committee so appointed are open to the public as required by the Connecticut General Statutes.
- B. At the time of appointment, the members of any committee appointed pursuant to this section shall elect one (1) of their members to serve as Committee Chairman.
- C. The First Selectman and/or member of the Board of Selectmen may serve as an ex-officio member of any committee appointed in accordance with the section.
- D. For purposes of determining whether a committee may conduct business, a majority of committee members shall constitute a quorum.
- E. Minutes of all committee meetings and hearings shall be kept and published in accordance with the Connecticut General Statutes.
- F. All mail addressed to any committee shall be deemed addressed to the full Board and shall be treated in the same manner as set forth in Section 4, paragraph D.

SECTION 6. AMENDMENTS

These bylaws may be amended from time to time as deemed necessary or desirable by the Board.

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SECTION 7. EFFECTIVE DATE

These bylaws shall take effect immediately upon adoption by the Board and all photocopies or reproductions hereof shall clearly specify the 'Effective Date' on the cover page.

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Town of Colchester, Connecticut


127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

MEMORANDUM

To: Board of Selectmen

Cc:

From: Gregg Schuster, First Selectman 

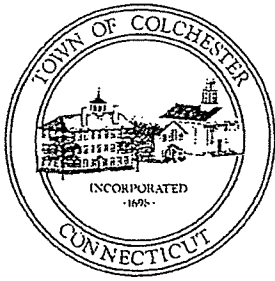
Date: 10/20/11

Re: 2012 Board of Selectmen Regular Meeting Schedule

The following regular meeting schedule is recommended for 2012. All regular meetings are the first and third Thursday of each month.

January 5	July 5
January 19	July 19
February 2	August 2
February 16	August 16
March 1	September 6
March 15	September 20
April 5	October 4
April 19	October 18
May 3	November 1
May 17	November 15
June 7	December 6
June 21	December 20

Recommended motion – “Move to adopt the Board of Selectmen 2012 meeting schedule as recommended by the First Selectman.”



Town of Colchester, Connecticut


127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

MEMORANDUM

To: Board of Selectmen

Cc:

From: Gregg Schuster, First Selectman 

Date: 10/20/11

Re: 2012 Board and Commission Chairmen Meeting Schedule

The following regular meeting schedule is recommended for 2012. All meetings will take place prior to the regular Board of Selectmen meeting for that evening.

January 19
April 19
July 19
October 18

Recommended motion – “Move to adopt the Board and Commission Chairmen 2012 meeting schedule as recommended by the First Selectman.”

October 18, 2011

Town Clerk
Town of Colchester
127 Norwich Avenue
Colchester, CT 06415

To the Town Clerk:

I resign my seat on the Commission on Aging for the town of Colchester effective today. It has been a pleasure to serve with this highly committed group of individuals and with Patti White, the Director of the Senior Center.

Sincerely,
Theresa Hendricksen
51 Pickerel Lake Rd.
Colchester, CT 06415

Received for record at Colchester, Conn.
on 10/19/2011 at 9:15 a.m.
Attest, Nancy A. Bray, Town Clerk



October 24, 2011

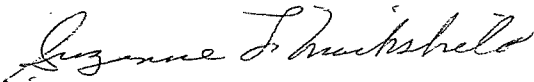
To Whom It May Concern:

Due to medical reasons, I am resigning from the Commission on Aging as of December 1, 2011.

It has been a pleasure working with the Commission.

Sincerely,

Suzanne Maikshilo



Received for record at Colchester, Conn.
on Oct. 24, 2011 at 3:05 p.m.
Attest, Nancy A. Gray, Town Clerk

Stephen W. Wells
273 Windham Avenue
Colchester, CT 06415

October 21, 2011

Mr. Gregg Schuster – 1st Selectman
Town of Colchester
Xxx Norwich Avenue
Colchester, CT 06415

Subject WJJMS Building committee – Resignation

Gregg,

It is with deep regret that I must tender resignation for my position on the WJJMS Building Committee and for my role as the Chairman.

As you are aware, I had a recent family related situation surface that would preclude me from committing myself to any activities that would draw me from totally focusing on my family related situation.

I was looking forward to assisting the Town on this important endeavor, and I deeply regret that I will not be able to participate on this committee. I am confident that another citizen will step up and pick up for me because our town has many people that care about Colchester as much as we both do. Good luck to you and the committee.

Thank you for being understanding.

Best Regards,



Stephen W. Wells
Chairman – WJJMS Building committee

Received for record at Colchester, Conn.
on 10-24-11 at 9:35 a.m.
Attest, Nancy A. Bray, Town Clerk

October 24, 2011

Code Administration
Building Official
Fire Marshal
Wetlands Enforcement



Planning and Zoning
Planning Director
Zoning Enforcement
Town Engineer

To: Colchester Board of Selectmen

From: Salvatore A. Tassone P.E. – Town Engineer

Re: Buckley Estates Subdivision, Carvalho Drive, Salem and Colchester CT.

Owner/Developer - Carvalho Brothers Realty,

The owner of the referenced Subdivision has requested a bond reduction to reflect the public improvements completed to date. As of October 24, 2011, the following remaining items are incomplete.

<u>Item no.</u>	<u>Item</u>	<u>Cost</u>
15	Retention/Detention Basin	\$15,000.00
19	Sedimentation control system	2,500.00
61	Stop sign and post	150.00
62	Road sign and post	150.00
63	Speed limit sign and post	150.00
65	Monuments and iron pins	7,200.00
66	As-built plans	2,250.00
67	Underground utilities	18,000.00
69	Clean sediment from catch basin	750.00

Total incomplete items = \$46,150.00

The Town is currently holding a cash bond in the amount of \$131,995.00. It is therefore recommended that the bond be reduced by \$85,845.00 plus accrued interest, leaving a bond balance of \$46,150.00.

RECOMMENDED MOTION:

Recommend that the Board of Selectmen reduce the existing Buckley Estates Subdivision Bond by \$85,845.00 plus accrued interest, leaving a bond balance of \$46,150.00.

October 28, 2011

Code Administration
Building Official
Fire Marshal
Wetlands Enforcement



Planning and Zoning
Planning Director
Zoning Enforcement
Town Engineer

To: Colchester Board of Selectmen

From: Salvatore A. Tassone P.E. – Town Engineer

A handwritten signature in black ink, appearing to read "Sal Tassone", is written over the printed name of the Town Engineer.

Re: Prospect Hill Re-Subdivision, Prospect Hill Road and Williams Road,
Colchester Ct., prepared for Maiden Builders, LLC. By Anchor Engineering
Services, Inc. dated 2/20/07, revised 3/27/07

The owner of the referenced subdivision has requested the release of his public improvement maintenance bond. The town is currently holding a cash bond in the amount of \$2,688.00, which has been in place since November of 2009, well in excess of the 1 year period required by the Town's Road ordinance.

Based on a site inspection conducted October 28, 2011, all of the public improvements appear to be in good condition and the site is stable. It is therefore recommended that the bond be released.

RECOMMENDED MOTION:

Recommend that the Board of Selectmen release the existing maintenance bond for the Prospect Hill Re-Subdivision in the amount of \$2,688.00 plus accrued interest as requested.

Colchester Senior Center
BOS Request for Approval

To: Board of Selectmen

From: Patti White, Director

Re: Community Publications Contract

Date: 10/17/11

Summary of Request:

This is an agreement between the town and Community Publications which publishes the Senior Center's monthly newsletter at no charge to the center or town. The agreement covers a two year period. The publishing costs are covered through advertisement secured by Community Publications. This company recently acquired Senior Publishing which is the company that formerly provided this service to the town. (It is not clear if a prior agreement with Senior Publishers ever existed).

Action Recommended:

Motion to approve the Newsletter Publishing Agreement with Community Publications and authorize the First Selectman to sign all documents.

NEWSLETTER PUBLISHING AGREEMENT

This Agreement is made this 27th day of October, 2011 by and between Community Publications (Publisher) and Colchester Senior Center (Customer). In consideration for Publisher providing a complete and continuous publishing service, Customer agrees to use Publisher's services exclusively and to provide copy on a timely basis.

Each edition of the newsletter will consist of up to 4 pages, and the value added services listed on page 2 of this Agreement. Publisher shall provide **at no cost to the Customer** all benefits outlined in this Agreement, provided throughout the Agreement term, 25% of the newsletter space contains paid advertising. Otherwise, Publisher reserves the right to use alternate printing or production methods; modify certain terms and conditions, or terminate this Agreement.

I. TERM: This Agreement shall commence immediately and shall continue in effect for two consecutive Publication Years (each publication year equaling 12 consecutive monthly editions), with the first publication year to begin on the 1st day of November, 2011 ("Agreement Term").

II. RESPECTIVE RESPONSIBILITIES:

- The Customer agrees to include in each edition of its publication a **Calendar of Events**. Publisher reserves the right to secure advertising sponsorship on each edition's calendar, and shall, upon request, provide Customer with a calendar template.
- **Publisher shall be responsible for sales of all advertising**, and Customer hereby assigns to Publisher rights to any advertising revenue from the publication. Publisher may collate an advertising insert into each edition. Customer shall not grant other parties similar advertising solicitation rights or rights to provide other advertising supported materials, whether printed, electronic, or otherwise, including but not limited to, directories, journals, or web-based advertisements. Publisher will be solely responsible for collecting revenue from all advertisers on Customer's publication(s).
- **Publisher shall be responsible to deliver each edition in bulk to Customer**. The Customer agrees to distribute the publication to its members.

III. RENEWAL: Publisher and Customer agree that at any date prior to the termination date of this Agreement, this Agreement may be renewed on terms then mutually agreeable to both parties. Customer's electronic acceptance or written approval of any renewal offer(s) shall constitute acceptance of the offer as presented by Publisher. If the Customer has not authorized a renewal Agreement with Publisher, or notified Publisher in writing of its decision to non-renew service at least 180 days prior to the expiration of the Agreement Term, the parties agree to then renew this Agreement for one Publication Years and under such terms as are identical to those contained in this Agreement. Prior to declining renewal with Publisher at the expiration of any Agreement Term, Customer shall give Publisher the opportunity to match or exceed any written or verifiable verbal offer made to Customer for similar services.

IV. AGREEMENT: The contents of this Agreement including terms listed on Page 2 and 0 Addendum(s) or exhibits attached hereto, if any, (collectively the "Agreement") constitutes the entire Agreement regarding the subject matter contained herein between Publisher and the Customer. The parties understand and agree to be bound by its terms and conditions. This Agreement shall bind the parties, their successors and assigns.

Colchester Senior Center

Customer Name

95 Norwich Avenue

Street Address

Colchester, CT, 06415

City, State, Zip Code

(860) 537-3911

Area Code and Phone Number



COMMUNITY PUBLICATIONS

A division of LPI

5 Progress Drive

Cromwell, CT 06416

860-635-9560 800-888-4574

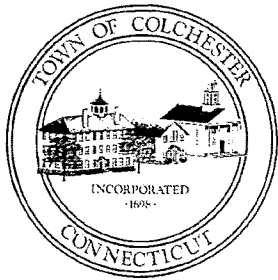
Publisher Representative

Date

By: _____
Signature of Customer Representative Date

Printed Name AND TITLE of Customer Representative

- **Software and Support:** Publisher will provide necessary software, *initial training*, and ongoing toll-free phone support for LPI Express®. Customer shall receive at no cost, electronic access privileges to Publisher's exclusive Art & Media Portal®, with complete graphics, cover selection library, and publications division content including seasonal artwork, and Bright Ideas on line. Software listed on this Agreement shall remain the property of Publisher at the conclusion of this Agreement, and upgrades to software listed on this Agreement are provided by Publisher at Publisher's sole discretion. Publisher is not responsible for internet access fees imposed by Customer's internet service provider. Publisher does not provide training for customer selected desktop publishing software.
- **Full Layout & Design:** Publisher will not add or delete anything from Customer's submitted copy without prior consent. Should any questions arise, a Customer Service Representative will be assigned to assure Customer's complete satisfaction.
- Publisher shall produce each edition in **Black** or **Black and a Seasonal Color Image** on white paper at its sole discretion.
- The Publisher shall deliver a quantity of each edition so that the Customer can provide a copy to each of its constituents, plus additional copies for distribution in the Customer's community. Customer may request a reasonable increase or decrease their newsletter quantity for seasonal changes in readership and/or special events. Quantities may be modified when copy is submitted via LPI Express®, or by calling customer service. Publisher shall notify Customer in the unlikely event of Publisher's objection to any such quantity modification request.
- The Customer agrees to supply Publisher with business/vendor lists each year of this Agreement and make available a telephone and work space for the Publisher representative during scheduled sponsorship campaign(s). The Customer agrees to insert a timely pre-sell message into their publication.
- Publisher will be solely responsible for collecting revenue from all advertisers on Customer's publication(s). However, invoices may offer advertising sponsors the option of making checks payable to Customer or to Publisher. Publisher has Customer's permission to endorse and deposit in its bank account all checks made payable to Customer that are received only in payment for advertising sponsorship in Customer's publication(s). Customer also agrees to forward to Publisher any checks Customer receives in payment for advertising sponsorship appearing in Customer's publication(s).
- This Agreement is not intended to supersede or modify other agreements. In the event Customer is party to a currently existing valid publishing agreement, Publisher shall begin to provide services hereunder on such later date as constitutes the first periodical publication following the expiration of Customer's current valid publishing agreement. In such cases, Customer shall terminate any such competing publishing agreement in writing, and therein disclose Customer's intention not to renew said agreement upon the expiration of the current term of any such agreement.



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

MEMORANDUM

To: Board of Selectmen

Cc:

From : Gregg Schuster, First Selectman

Date: 10/31/11

Re: MOA with MEUI Regarding Pay Issue for John Jones

John Jones was promoted to the position of Assistant Road Foreman approximately a year ago. Due to an anomaly in the pay schedule in our collective bargaining agreement, Mr. Jones is now making less per hour than employees of lower rank that he supervises.

Recommended Motion – “Move to authorize the First Selectman to execute the attached Memorandum of Agreement with MEUI, Local 506, SEIU, AFL-CIO, CLC.”

MEMORANDUM OF AGREEMENT

This Agreement is reached by and between the Town of Colchester ("Town") and MEUI, Local 506, SEIU, AFL-CIO, CLC, representing the Transfer Station, Parks and Recreation, Highway Crew, Fleet Maintenance and Water Department employees ("Union").

WHEREAS, the Town and Union are parties to a Collective Bargaining Agreement covering the period of July 1, 2010 through June 30, 2013; and

WHEREAS, due to certain anomalies in the Step Schedules contained in Appendix A of the Collective Bargaining Agreement, presently John Jones, who was recently promoted from the position of Maintainer III to the position of Assistant Road Foreman is earning less than some of the employees he supervises.

NOW THEREFORE, the parties hereby agree as follows:

The rate of pay for John Jones shall be increased from his current rate of Twenty-Two Dollars and Thirty-Four Cents (\$22.34) an hour (Step 4 of Assistant Road Foreman position) to Twenty-Three Dollars and Twenty-Three Cents (\$23.23) an hour (Step 6 of Assistant Road Foreman position) effective retroactive to July 1, 2011.

The parties agree that this Agreement shall be non-precedent setting for any other purposes and shall not be used by either party to establish a practice with regard to any other circumstances between the parties.

The parties have reached this Agreement as of this ____ day of October, 2011.

TOWN OF COLCHESTER

MEUI, LOCAL 506, SEIU, AFL-CIO, CLC
