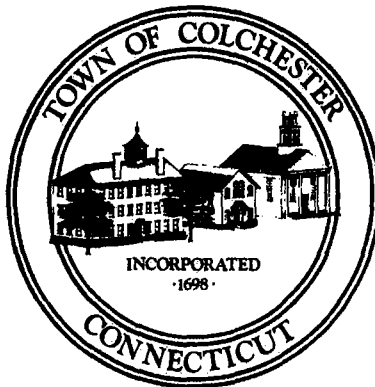


Linda M. Hodge



First Selectman

NANCY A. BRAY
TOWN CLERK

Nancy A. Bray

2008 AUG 22 PM 4:06

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COLCHESTER, CT

**Board of Selectmen Regular Meeting Minutes
Thursday, August 21, 2008
Colchester Town Hall
Meeting Room 1 – 7:00 p.m.**

MEMBERS PRESENT: First Selectman Linda Hodge, Stan Soby, Greg Cordova, Rosemary Coyle

MEMBERS ABSENT: John Malsbenden

OTHERS PRESENT: Mike Caplet, Tom Crotty, James Miller, Greg Plunkett, Chuck Edenburg, Siobhan Grogan, Nancy Bray, Ellen Falbowski, Katherine Kosiba, Bill Otfinoski

1. **Call to Order:** First Selectman L. Hodge called the meeting to order at 7:00 p.m.
2. **Additions to the Agenda:** S. Soby moved to add a new item #5c, "Conservation Commission (member/alternate; term expires 10/1/11): James Miller (to be interviewed)", move item #10 to #14, add a new #15 "Discussion and Possible Action on Cody Camp Foundation Considerations", add new #16 "Discussion and Possible Action on Changing All Colchester Civil Preparedness Designations to that of Colchester Emergency Management", renumbering the remaining items consecutively starting with #17, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
3. **Approve Minutes of the August 7, 2008 Regular Board of Selectmen Meeting:** R. Coyle moved to accept the minutes of the August 7, 2008 regular Board of Selectmen meeting minutes as presented, seconded by G. Cordova. S. Soby and G. Cordova abstained. Remaining members voted in favor. MOTION CARRIED.
4. **Citizen's Comments:** None
5. **Boards and Commissions – Interviews and/or Possible Appointments and Resignations**
 - a. **Business Development Task Force (member): John Carroll (to be interviewed):** John Carroll was not present.
 - b. **Conservation Commission (member/alternate; term expires 10/1/11): Tom Crotty (to be interviewed):** The Board of Selectmen interviewed Tom Crotty.
 - c. **Conservation Commission (member/alternate; term expires 10/1/11): James Miller (to be interviewed):** The Board of Selectmen interviewed James Miller.
 - d. **Conservation Commission (member/alternate; term expires 10/1/11): Darrell York (interviewed on 8/7):** The Board of Selectmen took no action.
 - e. **Conservation Commission (member/alternate; term expires 10/1/11): Andrew George (interviewed on 8/7):** The Board of Selectmen took no action.

6. Budget Transfers - None

7. Tax Refunds & Rebates

- a. **Old Business: S&S Worldwide Tax Refund/Rebate:** First Selectman L. Hodge reported to the board that the motion for judgment has been received. R. Coyle moved that any overpayment of taxes as the result of the reduced assessment will be credited forward to S&S Worldwides's next tax bill or bills, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
- b. **New Business: Pending Tax Refunds/Rebates:** After review, S. Soby moved to approve tax refunds in the amount of \$166.83 to Richard and Lois Churchill, \$196.85 to Edward Fitzgerald, \$64.43 to William and Marlene Dennen, \$47.63 to Daniel Pennington, \$11.51 to Stephen and Andrea Baldyga, \$284.63 to William and Marjorie Zenowitz, \$100.00 to Helen Dombrowski, \$57.98 to Patricia and John Dean, \$38.66 to Richard Mahoney, \$46.02 to Waldemar Suszek, \$10.82 to Sheryl Gasser, \$6.90 to Dolores Tarnowski, \$37.47 to Steven Mednick, \$520.26 to Cottage Grove Landscape, \$104.69 to DCFS Trust, \$105.62 to Christine Ward, \$15.88 to Robert Merrill, \$13.34 to Eleanor and Robert Romaniello, \$22.32 to Jean Anderson and William Otfinoski, \$172.56 to Toyota Motor Credit Corp, \$250.00 to Georgette Tomminello, \$131.39 to Bernier Construction, \$430.74 to Honda Lease Trust, \$75.24 to Joseph Dibuonoschuebel, \$4.83 to John Fedus, \$18.87 to Frank and Laura Alessio, \$3590.71 to Eric Hall and Michelle Petri, \$340.32 to Jerome and Donna Thompson, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

8. **Discussion and Possible Action on Cragin Library Service Hours:** Following discussion, Siobhan Grogan agreed to return to the next meeting with data on which specific groups would be affected by the change in service hours as they impact meeting room space.
9. **Discussion and Possible Action on Fleet Maintenance Furnace Assessment:** Greg Plunkett presented the assessment of the furnace at the fleet maintenance facility. G. Cordova moved to authorize the purchase of a waste-oil furnace to replace the current furnace as per the recommendation of the Facilities Director, and to authorize the First Selectman to sign all necessary documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
10. **Discussion and Possible Action on Creation of Senior Operator Position for Water Department:** Following discussion, the Board of Selectmen agreed that they would prefer to invite Mark Decker to the next meeting to discuss the background and financial implications surrounding the creation of a new position for the Water Department.
11. **Discussion and Possible Action on Designation of Suzanna Clark as Assistant Tax Collector Following Eligibility to Receive the Designation of Certified Connecticut Municipal Collector:** R. Coyle moved to designate Suzanna Clark as the Assistant Tax Collector as per her designation as a Certified Connecticut Municipal Collector, and to authorize the First Selectman to sign all necessary documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
12. **Discussion and Possible Action on Architectural Qualifications RFQ for White Oaks Trail:** G. Cordova moved to authorize the proposed RFQ for architectural qualifications for the White Oaks Trail project, and to authorize the First Selectman to sign all necessary documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED.

- 13. Discussion and Possible Action on Historic Documents Preservation Grant Resolution and Application:** G. Cordova moved to authorize the Historic Documents Preservation Grant resolution and application, to authorize the Town Clerk, Nancy Bray as the applicant, and to authorize the First Selectman to sign all necessary documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
- 14. Discussion and Possible Action on Certification of the Town of Colchester as a Community Wildlife Habitat:** This item was addressed following item #15. Ellen Falbowski and Katherine Kosiba presented on the certification program. R. Coyle moved that the Town of Colchester work in partnership with town organizations toward the certification of the Town of Colchester as a Community Wildlife Habitat through the National Wildlife Federation, as per the recommendation of the Colchester Conservation Commission, and that the First Selectman be authorized to write a letter to that effect. During discussion the Board requested that the information be brought back to the Board by the group as to how any funds would be managed. Following discussion, all members present voted in favor. MOTION CARRIED.
- 15. Discussion and Possible Action on Cody Camp Foundation Considerations:** First Selectman L. Hodge gave an update on the Cody Camp Memorial Field project. S. Soby moved to require that the Cody Camp foundation provides a cash bond as outlined by the legal counsel, or a performance bond, or a letter of credit, whichever is their preference, but one must be in place for the project agreement to be considered to be signed by the town, as recommended by town counsel, seconded by G. Cordova. Following discussion, all members present voted in favor. MOTION CARRIED.
- 16. Discussion and Possible Action on Changing All Colchester Civil Preparedness Designations to that of Colchester Emergency Management:** The Board of Selectmen agreed to postpone this item until such time as it was returned to the agenda following the completion of further research by First Selectman L. Hodge.
- 17. Discussion and Possible Action on CIP Needs:** First Selectman L. Hodge presented on the 2009-2013 CIP Plan progress.
- 18. Citizen's Comments:** None
- 19. First Selectman's Report:** First Selectman L. Hodge reported on: (1) the Amerigas incident on Thursday morning, (2) the LEPC All-Hazard Meeting, (3) purchasing policy update, (4) the SCCOG Meeting and its efforts toward homeless shelter support -- she is a member of the committee to look at issue, (5) her work with Housing Authority/Rob Gustafson (Executive Direction), (6) a possible reclassification request from the union for job positions, (7) Gretchen Marvin starting work in Social Services, (8) her visit with State Representative Linda Orange, Senator Eileen Daily, and Public Works Director Mark Decker to the Lyman Viaduct to review additional work needed and discuss potential funding, (9) the approval of the Linwood Avenue Dunkin' Donuts at the Planning & Zoning Meeting, (10) the presentation of citizen's comments regarding the proposed Bank of America project on Linwood Avenue, (11) the Bacon Academy Reunion, (12) the last Concert on the Green, (13) the Block Party, (14) and her ongoing Coffee's.
- 20. Liaison Reports:** The selectmen reported on their respective boards.
- 21. Executive Session Regarding Strategies for Collective Bargaining for Police Union AFSCME Council 15 Local 2693T:** R. Coyle moved to go into executive session and to invite Bill Otfinoski to join them in executive session to discuss strategies for collective bargaining for Police Union AFSCME Council 15 Local 2693T, seconded by S. Soby. Unanimously approved. MOTION CARRIED.

The selectmen entered into executive session at 8:54 p.m. and came out of executive session at 9:04 p.m.

- 22. Adjourn:** S. Soby moved to adjourn at 9:05 p.m., seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

Attachments

1. Email dated August 20, 2008 from Bob McGovern to Linda Hodge regarding "Cody Camp Memorial Field Contract"
2. Memorandum dated August 8, 2008 from Siobhan Grogan to the Board of Selectmen regarding "Monthly Report for July 2008"

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Caplet". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael J. Caplet
Executive Assistant to the First Selectman

Linda Hodge

From: Bob McGovern [bobmcgovern@comcast.net]
Sent: Wednesday, August 20, 2008 12:52 PM
To: Linda Hodge
Cc: Mike Caplet; Tim York; 'William D. Hettrick'; Karen Loiselle; Greg Plunkett; Maggie Cosgrove; 'Andrews, Mary Jo'; 'Erin McGovern'; 'David R. Scott'; Melvin Scott
Subject: Cody Camp Memorial Field Contract

Hi Linda,

Summer is just flying along. Can't believe it is almost Labor Day . I hope your summer has been enjoyable.

I take this opportunity to touch base with you on what appears to be the final outstanding issue with the Cody Camp Agreement - the issue of our Foundation placing its funds into an escrow account. I spoke with David Scott yesterday as well as members of our Foundation and we are all of the opinion that we cannot agree to this term.

By way of background, the Town attorneys have proposed in Section 2(b) Financial Matters of the Agreement that upon contract signing the Foundation would be required to transfer 50% of its financial resources to the Town. The Foundation would then be required to request release of those funds as the project progresses.

During our July 17th meeting this term was not raised. At the time, I assumed that the reason it did not come up was because I set forth the Foundation's position on this term in my July 11th e-mail response to you. In that email, I clearly stated, as it relating to that term that ***"The Foundation will not agree to this for it sets the basis for future disagreements"***. Perhaps, I should not have assumed that the Town was aware that this term was a nonstarter and should have affirmatively restated our position during the July 17th meeting.

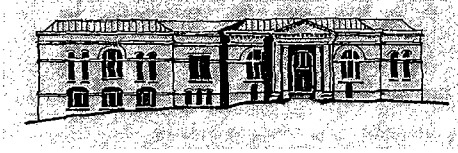
Our opposition to this provision is a simple one. As presently construed, the Agreement contractually puts the entire onus for completion of the project on the Foundation's shoulders. We are required to secure permits, schedule and negotiate with contractors and assure quality control. This is something that we are prepared to do. We are not, however, prepared to assume all that responsibility and then have to ask the Town to release our funds throughout the process. It simply makes no sense to us. No prudent business person or oversight committee would agree to such a term in a commercial contract let alone one that involves strictly a charitable contribution.

If the objective of this provision is to guarantee that the Fund's resources are spent entirely on the Field we suggest that the following language be included:

1. At contract signing the Foundation will attach a copy of the Foundation's bank statement evidencing the exact amount of funds available. The Foundations bank account is registered with IRS as a 501(c)3 account limiting the resources in this account to the development of the Foundations stated mission.
2. The Foundation will contractually commit to use all the funds disclosed at time of signing for development of the Field
3. The Foundation will provide monthly statements of outflows from this account and to whom these outflows have been sent.

The Foundation believes this compromise is reasonable and will allow us to move forward to the benefit of both the Foundation and the Town. If on the other hand we are unable to resolve this issue, the Foundation would be willing to change the Agreement to a 100% cash donation by the Foundation to the Town. In consideration for this cash donation the Town would be contractually obligated to construct the field by a date certain, would have complete control over its construction and would also guarantee to the Foundation future naming rights.

I hope this helps to clarify this issue. We look forward to moving ahead on this worthy project that so many people have worked hard for and contributed to. Sincerely, Bob McGovern



Town of Colchester
Cragin Memorial Library
The public library of Colchester since 1905

TO: Board of Selectmen, Town of Colchester
Board of Finance, Town of Colchester
Cragin Board of Trustees
FROM: Siobhan Grogan, Library Director
RE: Monthly Report for July 2008
DATE: August 8, 2008

REGISTERED PATRONS: 16,854 (Colchester residents: 13,168)
CIRCULATION for **July: 19,200** (*highest circ. ever in one month; 7% over July 2007*)
nonprint circulation: 27% of total
CIRCULATION (Calendar year): 106,598 CIRCULATION (Fiscal year): 19,200
Statewide Interlibrary Loan: Borrowed 112 items, loaned 40 items

Computer Use (Internet, Microsoft Office, iconn.org, InfoAnytime, etc.): 1,933 users
Computer Assistance to Visitors: 68 times
Newsletter for July/August: Circulation 1,400
Children's Display Case: Ty and Groovy Girls dolls from Hally Ondras' collection
Upstairs Display Case: Hand crafted jewelry loaned by Janet Picano
Art Exhibit in the Norton Room: Young artists of Colchester

PROGRAMS:

Seniors' Book Repair programs (4) (repaired 88 books)	10 participants
Yoga classes with Michele Medeiros (4)	68 participants
Great Conversations "Theory of the Leisure Class" by Thorstein Veblen	4 participants
Summer Reading Program	265 children
Story Times (5)	33 children and adults
Bat Lady	100 in audience
Les Julian - "The Ugly Bug Ball"	125 in audience
Mad Science presents "Bugs & Insects" (3)	77 children and 3 adults
The Magic of Dan Bowen	160 in the audience

Continued → → →

Programs, continued

Sparky's Puppets presents Bug Tales	100 children and 25 adults
Arts and Crafts programs	310 participants
Movies: A Bug's Life, Antz, Bug Tales	39 in audience
Volunteer program	11 volunteers, 62 hours
Meeting Rooms (4) usag	31 programs, 313 participants