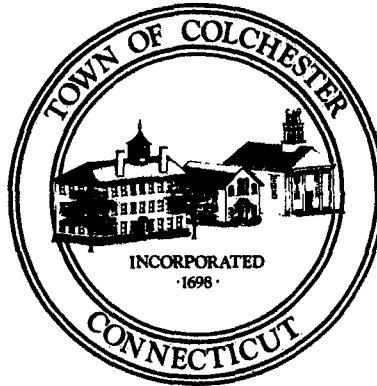


Linda M. Hodge



First Selectman

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NANCY A. BRAY
TOWN CLERK

**Board of Selectmen Regular Meeting Minutes
Thursday, September 4, 2008
Colchester Town Hall
Meeting Room 1 – 7:00 p.m.**

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

MEMBERS ABSENT:

OTHERS PRESENT: Mike Caplet, Ryan Blessing, Siobhan Grogan, Adam Turner, Mark Decker, Jess McMinn, Walter Cox

1. **Call to Order:** First Selectman L. Hodge called the meeting to order at 7:00 p.m.
2. **Additions to the Agenda:** (These items added during discussion of #5) J. Malsbenden moved to add a new #5a "Planning & Zoning Commission: Lisa Starkey-Rumph Resignation", seconded by S. Soby. Unanimously approved. MOTION CARRIED. R. Coyle moved to add a new #5b "Planning & Zoning Commission (term expires 12/1/2013): John Rosenthal", seconded by J. Malsbenden. Unanimously approved. MOTION CARRIED.
3. **Approve Minutes of the August 21, 2008 Regular Board of Selectmen Meeting:** R. Coyle moved to accept the minutes of the August 21, 2008 regular Board of Selectmen meeting minutes as presented, seconded by G. Cordova. J. Malsbenden 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. **Planning & Zoning Commission: Lisa Starkey-Rumph Resignation:** J. Malsbenden moved to acceptance Lisa Starkey-Rumph's resignation from the Planning & Zoning Commission with regret, seconded by S. Soby. Unanimously approved. MOTION CARRIED
 - b. **Planning & Zoning Commission (term expires 12/31/2013): John Rosenthal:** R. Coyle moved to appoint John Rosenthal as a member of the Planning & Zoning Commission with a term to expire on 12/31/2013, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
 - c. **Business Development Task Force (member): John Carroll (to be interviewed):** John Carroll was not present.
 - d. **Conservation Commission (member/alternate; term expires 10/1/11): Tom Crotty (interviewed on 8/21):** The Board of Selectmen requested that the First Selectman call Mr. Crotty to investigate what other boards or commissions on which he would be willing to serve.

- e. **Conservation Commission (member/alternate; term expires 10/1/11): James Miller (interviewed on 8/21):** The Board of Selectmen requested that the First Selectman call Mr. Miller to investigate what other boards or commissions on which he would be willing to serve.
- f. **Conservation Commission (member/alternate; term expires 10/1/11): Darrell York (interviewed on 8/7):** R. Coyle moved to appoint Darrell York to the Conservation Commission as a member with a term to expire on 10/1/11, seconded by S. Soby. Following discussion, all members present voted in favor. MOTION CARRIED.
- g. **Conservation Commission (member/alternate; term expires 10/1/11): Andrew George (interviewed on 8/7):** J. Malsbenden moved to appoint Andrew George to the Conservation Commission as an alternate with a term to expire on 10/1/11, seconded by R. Coyle. Following discussion, S. Soby voted against. All remaining members voted in favor. MOTION CARRIED

6. Budget Transfers

- h. **Board of Finance – Budget Books:**
- i. **First Selectman – Advertisements**
- j. **First Selectman – Clerk Hours**
- k. **Various Departments – Insurance Rate Changes**
- l. **Assessor – Temporary Staff Overtime**
- m. **Assessor – Postal Rates**
- n. **Economic Development Commission – Clerk Hours**
- o. **Historic District Commission – Clerk Hours and Advertising**
- p. **Planning & Code Administration – Advertising**
- q. **Town Clerk – Long Distance Phones**
- r. **Legal & Insurances – Legal Costs**
- s. **Legal & Insurances – Premium Costs**
- t. **Legal & Insurances – Unemployment Claims**
- u. **Central Services/IT – IT Equipment, Hardware, and Software Updates**
- v. **Fire Department – Employee Overtime**
- w. **Fire Department – M&J Fire Costs**
- x. **Fire Department – Fire Prevention Materials**
- y. **Fire Department – Heating Oil Cost Increase**
- z. **Fire Department – CAG Payments**
- aa. **Fire Department – Equipment Repairs**

- bb. Fire Department – Building Repairs**
- cc. Fire Department – Company Two Building Repairs**
- dd. Fire Department – Fire Truck Repairs**
- ee. Health – Fuel Cost Increase**
- ff. Library – Mileage**
- gg. Library – Mailings**
- hh. Library – Sewer & Water Bill**
- ii. Parks & Recreation – Overtime**
- jj. Parks & Recreation – Office Supplies**
- kk. Parks & Recreation – Advertising**
- ll. Parks & Recreation – Irrigation Pumps**
- mm. Parks & Recreation – Fuel Cost Increase**
- nn. Social Services – Flu Shots**

R. Coyle moved to approve the budget transfers (a) from “BOF – Office Supplies (11101-42301)” and “BOF – Advertising (11101-44231)” to “BOF – printing & Publications” in the amount of \$250.⁰⁰, with reason “Need to print adopted budget books for two fiscal years. FY 2007-08 approved at referendum in Sept 2007 and FYI 2008-2009 budget approved at referendum in May 2008”, (b) from “First Selectman – Mileage/Training (11201-43213)” to “First Selectman – Professional/Memberships (11201-43258) and to “First Selectman – Advertisements (11201-44231)” in the amount of \$759.⁰⁰, with reason “Newspaper subscriptions not budgeted. Increased number of job and bid advertisements”, (c) from “First Selectman – Overtime (11201-40103)” to “First Selectman – Contract Temporary (11201-40105)” in the amount of \$1344.⁰⁰, with reason “to cover clerk hours for meeting purposes originally budgeted for in ‘Overtime’”, (d) from “Police – Employee Insurance (12201-41210)” and “Accounting – Employee Insurance (11301-41210)” to “Town Clerk – Employee Insurance (11501-41210)” and “Transfer Station – Employee Insurance (13601-41210)” and “Health – Employee Insurance (14201-41210)” in the amount of \$365.00, with reason “rate changes for life and long-term disability insurance, and personnel changes in various departments”, (e) from “Assessor – Contr.,Temp., Occasional P/R (11304-40105)” to “Assessor – Overtime (11304-40103)” in the amount of \$112.00, with reason “overtime worked in lieu of hiring temporary staff”, (f) from “Assessor – Office Supplies (11304-42301)” to “Assessor – Postage (11304-44217) in the amount of \$275.00, with reason “increase in postal rates”, (g) from “Economic Development Commission – Printing (11404-44232)” to “Economic Development Commission – Contract Temporary (11404-40105)” in the amount of \$17.00, with reason “to cover additional clerk hours for meeting purposes”, (h) from “Historic District Commission – Printing (11504-44232)” to “Historic District Commission – Contractual Payroll (11405-40105)” and “Historic District Commission – FICA (11405-40105)” and “Historic District Commission – Advertising (11405-44231)” in the amount of \$332.00, with reason “Clerk originally budgeted as a ‘contractual temporary’ however was a Town employee paid at overtime rates. Unanticipated advertising.”, (i) from “Planning & Code Administration – Protective Clothing (11411-42323)” to “Planning & Code Administration – Advertising (11411-44231)” in the amount of \$215.00, with reason “higher than anticipated costs for legal

notices”, (j) from “Town Clerk – Office Supplies (11501-42301)” to “Town Clerk – Telephone (11501-45216)” in the amount of \$20.00, with reason “additional long distance phone charges”, (k) from “Legal & Insurances – Contingency (11101-50900)” to “Legal & Insurances – Legal (11701-44203)” in the amount of \$10,190, with reason “additional legal costs related to contract negotiations”, (l) from “Legal & Insurances – Contingency (11101-50900)” to “Legal & Insurances – Workers Compensation Insurance (11701-41260)” in the amount of \$20,000.00, with reason “additional premium costs resulting from FYI 2006-07 Workers Compensation audit”, (m) from “Legal & Insurances – Municipal Insurance (11701-44206)” to “Legal & Insurances – Unemployment Compensation (11701-44243)” in the amount of \$1589.00, with reason “increase in unemployment claims”, (n) from “Central Services/IT – Regular Payroll (11801-40101)” to “Central Services/IT – Professional Services (11801-44208)” in the amount of \$2227.00, with reason “To cover unanticipated expenses to provide internet service to the Senior Center, web site content (budget video), fire wall updates and installation, replacement of a monitor, and diagnostic equipment to be able to maintain police department car computers.”, (o) from “Fire – Electricity (12202-45622)” and “Fire – Copier (12202-42233)” to “Fire – Overtime (12202-40103)” in the amount of \$3121.00, with reason “M&J explosion – O/T paid for all Town employees involved. Billed out but not paid to date”, (p) from “Fire – Serv. Cont. (12202 – 44223)” to “Fire – Fire Supplies (12202-42346)” in the amount of \$7403.00, with reason “M&J explosion – costs billed but not reimbursed to date”, (q) from “Fire – Contr. Temp Occas. (12202-40105)” to “Fire – Training (12202-43213)” in the amount of \$2764.00, with reason “Fire prevention materials – price increase training classes cost increase”, (r) from “Fire – Fuel Oil (12204-45221)” to “Fire – Fuel Oil (12202-45001)” in the amount of \$917.00, with reason “increase in heating oil price per gallon”, (s) from “Fire – Other Supplies (12202-42340)” to “Fire – Professional Services (12202-44208)” in the amount of \$1206.00, with reason “CAG payments exceeded what was budgeted because we increased revenue by our \$77,000.00 for the fiscal year”, (t) from “Fire – Telephone (12202-45216)” to “Fire – Equipment Repairs (12202-46224)” in the amount of \$606.00, with reason “equipment repairs (tools, etc.) old equipment continues to break down”, (u) from “Fire – Other Supplies (12202-42340)” to “Fire – Building Repairs (12202-46226)” in the amount of \$1007.00, with reason “Bldg repairs exceeded amount budgeted (doors, plumbing, etc.)”, (v) from “Fire – Fuel Oil (12204-45221)” and “Fire – Electricity (12204-45622)” and “Fire – Office Supplies (12204-42301)” to “Fire – Building Repairs (12204-45221)” in the amount of \$1737.00, with reason “Building repairs for the bay floor exceeded the amount budgeted for building repairs”, (w) from “Fire – Designated Fund Balance (100-20803)” to “Fire – Vehicle Maintenance (12202-46390)” in the amount of \$17,720.00, with reason “Repair work on HT 128 total cost in excess of \$20,000”, (x) from “Health – Office Equipment (14201-48416)” to “Health – Vehicle Maintenance (14201-46390)” in the amount of \$27.00, with reason “increase in price of unleaded gasoline”, (y) from “Library – Equipment Repairs (15101-46224)” to “Library – Mileage, Training, Mtgs. (15101-43213)” in the amount of \$26.00, with reason “slightly over in mileage due to attendance at trainings and workshops; mileage rate increase”, (z) from “Library – Advertising (15101-44231)” to “Library – Postage (15101-44217)” in the amount of \$60.00, with reason “overdue mailings and regular business correspondence went slightly over due to postage increase”, (aa) from “Library – Professional Memberships (15101-43258)” to “Library – Sewer & Water (15101-45222)” in the amount of \$142.00, with reason “sewer and water bills included an extra charge for fire protection not included in budget”, (bb) from “Parks & Recreation – Regular Payroll (15201-40401)” to “Parks & Recreation – Overtime (15201-40103)” in the amount of \$390.00, with reason “additional overtime for emergency calls to park (septic alarm, etc)”, (cc) from “Parks & Recreation – Regular Payroll (15201-40101)” to “Parks and Recreation – Office Supplies (15201-42301)” in the amount of \$125.00, with reason “over expenditure in office supplies – ran short of paper and could not wait until the new year”, (dd) from “Parks & Recreation – Regular Payroll (15201-40401)” to “Parks & Recreation – Advertising (15201-44231)” in the amount of \$52.00, with reason “advertising for seasonal parks maintainers”, (ee) from “Parks & Recreation – Building Repairs

(15201-46226)" and "Parks & Recreation – Regular Payroll (15201-40401)" to "Parks & Recreation – Other Repairs (15201-46229)" in the amount of \$3175.00, with reason "replacement of irrigation pump for football field; replacement of modulators on spray park", (ff) from "Parks & Recreation – Regular Payroll (15201-40401)" and "Parks & Recreation – FICA (15201-41230)" and "Parks & Recreation – Misc P/R (15201-40106)" to "Parks & Recreation – Vehicle Maintenance (15201-46390)" in the amount of \$24,154.00, with reason "increased cost of fuel; additional snow storms", (gg) from "Senior Services – Maintenance (14101-42331)" to "Social Services – Other Purchase Supplies (14101-42340)" in the amount of \$50.00, with reason "need funds to cover for seniors flu shots not covered by insurance or medicare", seconded by S. Soby. Unanimously approved. MOTION CARRIED.

7. **Tax Refunds & Rebates:** After review, S. Soby moved to approve tax refunds in the amount of \$250.00 to Bernard and Meredith Shaw, \$44.41 to Philomena Ruutel, \$1708.50 to Robert and Susan Evans, \$23.24 to Hugh Matthews III, \$31.06 to Paul and Cheryl Benson, \$4.37 to Gary Schwartz, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
8. **Discussion and Possible Action on CTIP Application for RG Land Development Lot #5 Upton Road (Adam Turner):** Adam Turner presented on the CTIP application for RG Land Development Lot #5 Upton Road. J. Malsbenden moved to approve the CTIP application for RG Land Development Lot #5 Upton Road as recommended by the Economic Development Commission, and to forward it to Town Meeting to take place immediately before the next available Board of Selectmen meeting as per the warning requirements, seconded by R. Coyle. Following discussion, all members present voted in favor. MOTION CARRIED.
9. **Discussion and Possible Action on Creation of Senior Operator Position for Water Department (Mark Decker):** J. Malsbenden moved to postpone this item until such time as Mark Decker returns to the Board with responses to their questions regarding the overall growth plan for the department, including reason, timeline, cost projection and funding, staffing positions, and job descriptions, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
10. **Discussion and Possible Action on Mobile Manufactured Home at #4 Phoenix Road (Mark Decker):** Mark Decker presented on the mobile manufactured home at #4 Phoenix Road. S. Soby moved to request that the First Selectman return to the next Board of Selectmen meeting with the appropriate paperwork including an indemnification agreement, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
11. **Discussion and Possible Action on Cragin Library Service Hours (Siobhan Grogan):** S. Soby moved to postpone this item until such time as Siobhan Grogan returns to the Board with response to survey results of (1) how closing at 8:00 or 8:30 p.m. would impact the organizations currently using the facility, (2) whether schools could be used for these groups, and (3) if so, what would the charge(s) be, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
12. **Discussion and Possible Action on Resignation of Director of Colchester Senior Center and Municipal Agent for the Elderly:** R. Coyle moved to accept the resignation of Cathy Russi as Director of Colchester Senior Center and Municipal Agent for the Elderly effective end of business on October 3, 2008, with regrets, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
13. **Discussion and Possible Action on Senior Center Director Job Description Update:** Following discussion on this item, there was no action taken. The First Selectman will meet with Cathy Russi to further develop the job description and will call a special meeting of the Board of Selectmen to approve in order to move the process forward.

14. Discussion and Possible Action on Appointment of Colchester Housing Authority Executive Director to the Lebanon Avenue Revitalization Committee Membership:

J. Malsbenden moved to appoint the Executive Director of the Colchester Housing Authority to the Lebanon Avenue Revitalization Committee, seconded by S. Soby. Unanimously approved. MOTION CARRIED.

15. Discussion and Possible Action on Repair of Retired Police Vehicle and Designation to Fleet Maintenance: S. Soby moved to authorize internal repair of the retired police vehicle and to designate it to Fleet Maintenance, as per the recommendation of the Fleet Maintenance Supervisor, and to authorize the First Selectman to sign all necessary documents, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

* At this time, R. Coyle moved to address item #19 to accommodate attendees to be invited into executive session, seconded by S. Soby. Unanimously approved. MOTION CARRIED.

16. Citizen's Comments: None

17. First Selectman's Report: First Selectman L. Hodge reported on the status of the underground oil tanks, the arrival of the new police car to be outfitted, the initiation of cruiser safety inspections, the police working on job descriptions and fee structure for extra duty, the most recent Coffee with Linda, work and requests of the Friends of the Senior Center, John and Stan attending the next Friends of the Senior Center meeting to explain the space needs committee, the potential for Colchester to become a FEMA disaster recovery center, and the recent meeting with UCFS regarding expanding services in Colchester, a Town-wide review of FOI related fees.

18. Liaison Reports: The selectmen reported on their respective boards.

19. Executive Session Regarding Personnel Performance – Terrance Clark: (This item was addressed following item #15) S. Soby moved to enter into executive session and to invite Chief Walter Cox and Asst. Chief Jess McMinn to join them in executive session to discuss personnel performance of Terrance Clark, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

The selectmen entered into executive session at 8:28 p.m. and came out of executive session at 8:40 p.m.

20. Adjourn: S. Soby moved to adjourn at 9:15 p.m., seconded by J. Malsbenden. Unanimously approved. MOTION CARRIED.

Attachments

1. Letter from Catherine Russi to First Selectman Linda Hodge dated August 28, 2008 regarding the resignation of Catherine Russi
2. Memorandum from Adam Turner to the Board of Selectman dated August 8, 2008 regarding the CTIP application of RG Land Development LLC

Respectfully submitted,


Michael J. Caplet
Executive Assistant to the First Selectman

August 28, 2008

Mrs. Linda M. Hodge
First Selectman, Town of Colchester
127 Norwich Ave.
Colchester, CT 06415

Dear Mrs. Hodge,

I hereby tender my resignation as Director of the Colchester Senior Center and Municipal Agent for the Elderly. This was not a easy decision to make, but after a lot of consideration I feel it is time to retire.

I have appreciated the opportunities and experiences that have been provided to me during my twenty nine years of service for the Town of Colchester. Working for the town has been a wonderful experience. I will always treasure the opportunities provided to me.

Please be assured that I will do all I can to assist in the smooth transfer of my responsibilities before leaving. My last day will be October 3, 2008.

I appreciate your understanding of my decision to leave my position. I wish the very best for the Senior Center in the future.

Sincerely,



Catherine Russi

cc: Jean Stawicki
Chairman, Colchester Commission on Aging

To: Board of Selectman

From: Adam Turner

Re: RG Land Development Lot #5 Upton Road

Date: August 8 2008

Applicant

RG Land Development LLC
119 S Main Street
Colchester CT

Background

Applicant has proposed to construct a light industrial/warehouse building on Upton Road within the industrial park. Applicant has approved development plans to improve the property over a 6 month. The property is currently appraised at approximately \$69,000. The 2008 tax assessment is approximately \$1,600.

Applicant has applied for a Colchester Tax Initiative Program (CTIP) and has proposed tax abatement to the maximum extent permissible.

Process

Qualified applicants for tax incentives are required to present their application to the EDC. The members of the Commission review each application and make a determination as to whether incentives are appropriate, based on certain criteria established by the Commission. If they determine that incentives are appropriate, Commission members will further determine the appropriate amount and duration for the incentive. Economic Development Commission reviewed the proposal and recommended a 20% abatement of all property taxes collected over the current amount for a period of 3 years.

From this review by the Economic Development Commission, the application and recommended incentive package was sent to the Board of Selectmen. The Selectmen may consider the recommendation and adjust the package, as they deem appropriate. After the Selectmen's review and approval, the package is brought before the legislative body of the Town, (the Town Meeting), for approval. The Town Meeting is the sole decision maker regarding the approval of the incentive package. The members of the Economic Development Commission and the Board of Selectmen simply develop recommendations for the package.

Standards

The Economic Development Commission/Selectman may consider the following criteria to base recommendations on tax incentives:

- Need for incentives
- Potential for new job creation
- Providing a product, need or service to the local community
- Appropriateness of the business to its proposed location
- Possibility for the business to spawn other new businesses
- Planned use by the business of other Colchester vendors
- Compatibility of the project with the environment and town resources
- Contribution to the Town's infrastructure, including roads and utilities
- Net gain provided to the Town tax base
- Improvement or renovation to historic structures

These are not exclusive criteria, and the members of the Commission may consider other issues when appropriate to do so.

Finding

The applicant is not delinquent in the payment of any taxes or service charges to the Town.

The applicant plans to invest over \$1 million for the development of the property for light industrial/office/warehouse use year. The building will be approximately 20,000 sf in size.

The applicant is a local businessman. He projects that 20 new jobs would be created and with full development of these businesses, as much as 40 jobs could be created.

Applicant estimates that the committed tenants will bring approximately \$5,000/year in business personal property taxes immediately. If the remaining 10,000 SF is leased to 3 tenants that are looking for office & warehouse space, it is estimated that another \$6,000 to \$7,500/year in business personal property taxes could be received by the town – for a total of \$11,000 - \$12,500/yr. from business personal property taxes. Further the applicant points to the vacant properties on Upton Road that have been undeveloped for some time. The abatement will help RG Land Development occupy this first building faster, which will allow it to then development additional parcels on Upton Road.

The unimproved property is valued at \$107,000 with the assessed value being \$69,100. The latest tax assessment was approximately \$1,600.

Based on State Statute, investment in property over \$500,000 but under \$3,000,000 is eligible for a tax abatement of 20% for the assessed amounts over the current taxed level for a maximum period of seven years.

Recommendation

The Economic Development Commission has recommended that the Board of Selectman schedule a town meeting for consideration of this application. The EDC proposes that the applicant be granted a 20% abatement for property taxes over the current assessed value of \$69,100 for a period of three (3) years if approved provided his leases to tenants reflect a reduced amount equal to his tax abatement. Based on the applicants submission, if the property increased in value, in an amount equal to the improvements proposed by the applicant ($\$800,000 + \$69,000 = \$869,000$), the total amount abated to the applicant would be approximately \$4,000 (based on a mill rate of .23 and a 20% rebate) annually or \$12,000 for the total amount of the abatement. This amount would be 17% of the annual total tax owed if the property assessment reflected the funding spent on development and is 1.2% of the applicants proposed budget for construction. Finally the town will receive \$15,000 in new property tax revenues annually plus other revenues estimated at \$10,000 to \$12,000 annually if this property is developed.