

Gregg Schuster



First Selectman

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Nancy A. Bray
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**Board of Selectmen Regular Meeting Minutes
Thursday, January 21st 2010
Colchester Town Hall
Meeting Room 1 – 7:00 p.m.**

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

MEMBERS ABSENT:

OTHERS PRESENT: *Candace Barnes, Mike Caplet, and community members*

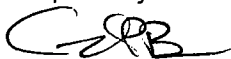
1. **Call to Order:** First Selectman G. Schuster called the meeting to order at 7:59 p.m.
2. **Additions to the Agenda:** G. Cordova moved to Delete Item # 12 "Discussion and Possible Action on Architectural Services for Restoration of the original Firehouse" and to renumber the remaining items accordingly, seconded by S. Soby. All members present voted in favor. MOTION CARRIED.
3. **Approve Minutes of the January 7th 2010 Board of Selectmen Regular Meeting:** S. Soby moved to approve the minutes of the January 7th 2010 Board of Selectmen Regular Meeting as presented, seconded by C. Cordova. All members present voted in favor. MOTION CARRIED.
4. **Citizen's Comments:** None
5. **Boards and Commissions – Interviews and/or Possible Appointments and Resignations**
 - a. **Commission on Aging (member reappointment; for a new term to expire on 12/01/12): Jean Stawicki (Interviewed on 1/7/2010)**
S. Soby moved to reappoint Jean Stawicki to the Commission on Aging.
Seconded by G. Cordova. All members voted in favor. MOTION CARRIED
6. **Budget Transfers:** None
7. **Tax Refunds & Rebates:** After review, S. Soby moved to approve refunds in the amount of \$894.64 to Frank Gargano, \$19.82 to Laura Haag and Sheldon Haag, \$33.34 to Samuel and Genevieve Cannarella, \$106.66 to GMAC, \$224.20 to GMAC, \$307.68 to GMAC, \$144.27 to GMAC, \$221.36 to GMAC. Seconded by G. Cordova. All members present voted in favor. MOTION CARRIED
8. **Community Wildlife Habitat Update—Katherine Kosiba:** Not Present

9. **Discussion and possible action on Contract for Professional Services By and Between The Town of Colchester and the Senior Services Department and Susan Wyatt:** R. Coyle moved to approve the Contract for Professional Services By and Between The Town of Colchester and the Senior Services Department (attached) and Susan Wyatt (attached) as presented, and to authorize the First Selectman to sign all necessary documents, seconded by G. Cordova. All members present voted in favor. MOTION CARRIED.
10. **Discussion and Possible Action on Safety Commitment Policy Statement:** S. Soby moved to postpone discussion on Safety Commitment Policy Statement, seconded by G. Cordova. All members present voted in favor. MOTION CARRIED.
11. **Discussion and possible action on appointment of Lt. Don Lee as Deputy Emergency Management Director:** G. Cordova moved to approve appointment of Lt. Don Lee as Deputy Emergency Management Director as presented, and to authorize the First Selectman to sign all necessary documents, seconded by S. Soby. All members present voted in favor. MOTION CARRIED
12. **Discussion and possible action - Grant application for Youth Services:** R. Coyle moved to approve the Grant application for Youth Services as presented, and to authorize the First Selectman to sign all necessary documents, seconded by G. Cordova. All members present voted in favor. MOTION CARRIED
13. **Citizen's Comments:** None
14. **First Selectman's Report:** First Selectman G. Schuster discussed correspondence with citizen Jeffrey M Koonankeil (attached). Reported on CT Council of Small Towns meeting (attached). Reported on Police Grievances. Reported on Fuel Bank Fundraiser. Reported on Probate District. Reported on Fire Company Elections. Reported on Vehicle Study.
15. **Liaison Reports:** S. Soby reported on Zoning Board of Appeals, R. Coyle reported on the Senior Center Study Group and Open Space Advisory Committee. J. Ford Reported on Friends of Craigin. G. Cordova reported on Board of Education.
16. **Adjourn:** R. Coyle moved to adjourn at 8:23 p.m., seconded by G. Cordova. All remaining members present voted in favor. MOTION CARRIED.

Attachments

1. Email correspondence between Jeffrey M. Koonankeil and First Selectman Gregg Schuster dated 01/20/2010 (2 pages)
2. Connecticut Council of Small Towns Legislative Agenda (7 pages)
3. Informational Letter of Agreement with Susan Wyatt, Certified Exercise Instructor (1 page)
4. Letter of Agreement – Town of Colchester/Senior Center (2 pages)

Respectfully submitted,



Candace P. Barnes
Meeting Clerk

Gregg Schuster

From: Gregg Schuster
Sent: Wednesday, January 20, 2010 6:41 PM
To: 'Koonankeil, Jeffrey M'
Subject: RE: Library Questions

Jeff,

Sorry to hear about the loss in your family. Here is the response to your inquiry from our Library Director. I will distribute this to the board. Please let me know if you have any other questions.

Thanks,

Gregg

1. Which organizations were asked to bid on replacing Cragin's current ILS?

The RFP was issued to all organizations serving towns which border at least one of Colchester's neighboring towns--this maximizes the benefits of a shared network. Fortunately, Colchester is located well and could easily join any of the three major consortia. Salem Free Library is a member of Bibliomation. The Douglas Library in Hebron is joining Bibliomation and the Jonathan Trumbull Library in Lebanon is in the decision process to join Bibliomation. Marlborough is a member of LCI. The Rathbun Memorial Library in East Haddam is a member of LION. The other Consortium in the state, LEAP, serves four towns in the New Haven area. The libraries of the towns of Waterford and Groton share a network, but do not operate as a consortium.

1. How many bids were received and from which vendors?

The RFP process is still open, the closing date is February 4, 2010. We expect to receive three bids, from Bibliomation, LCI, and LION.

1. Were all responses to the bids evaluated and if not, why?

Since the RFP process is still open, no bids have been evaluated. Evaluation will consider qualifications, specifications for the ILS, other included services, additional services offered, timeline for implementation, financial stability, and cost. All bids received will be evaluated.

1. Did the library do a cost benefit analysis for all systems/vendors who responded to Cragin's request for proposal? Yes, the Library is in the process of developing a Cost/Benefit Analysis, which will be finalized once the final bids have been received. All numbers discussed at the Board of Selectmen's meeting were based on pre-RFP discussions with the consortia.

1. Was a multi-year cost benefit completed?

That will be a part of the Cost/Benefit Analysis now underway.

Gregg Schuster
First Selectman
Town of Colchester
127 Norwich Avenue
Colchester, CT 06415
860.537.7220

From: Koonankeil, Jeffrey M [mailto:JMKOONAN@travelers.com]
Sent: Wednesday, January 20, 2010 9:25 AM
To: Gregg Schuster
Subject: Library Questions

Good morning Gregg,

I planned on attending the Board of Selectmen meeting this Thursday, but sadly my brother's wife's father passed away two days ago and the wake will be held on Thursday. In any event, I wanted to share with you some of the questions I had concerning the bidding and selection process to replace Cragin Memorial Library's current Integrated Library System ("ILS").

First, let me say that I am asking these questions as a concerned resident who wants to ensure that the town is getting the best value for its money. As you and the Board know, every dollar counts in these tough economic times. I became aware of the fact that Cragin was in the process of changing its ILS after reading articles in the Colchester Bulletin and the Rivereast. According to the articles, Ms. Byroade spoke about the benefits of replacing Cragin's current ILS. The article specifically mentioned three ILS that Cragin was considering joining: Bibliomation, Library Connection and LION. The article further stated that Ms. Byroade recommended that Cragin join Bibliomation because Cragin would be able to join at the discounted rate of \$10,000 a year instead of the normal rate of \$30,000 a year. The first thought that crossed my mind was that deal sounds too good to be true and thus formed the basis for my questions below. Thereafter, I read the minutes of the January 7, 2009 Board of Selectmen meeting and the attachment thereto, which was provided by Ms. Byroade. The attachment mentioned the benefits of joining the three largest ILS, Bibliomation, Library Connection and LION, but did not discuss whether there are other ILS Cragin considered joining.

Based upon the above, I submit the following questions to the Board of Selectmen about the bid process for Cragin's new ILS:

1. Which organizations were asked to bid on replacing Cragin's current ILS?
2. How many bids were received and from which vendors?
3. Were all responses to the bids evaluated and if not, why?
4. Did the library do a cost benefit analysis for all systems/vendors who responded to Cragin's request for proposal?
5. Was a multi-year cost benefit completed?

I raise these questions as a resident, library patron and a tax payer. I am not sure about the procedure at the Board of Selectmen meetings, but feel free to read this email as is into the record and include it as an attachment thereto if needed.

I look forward to hearing the responses to my questions from those best suited to answer them.

Sincerely,

/s/

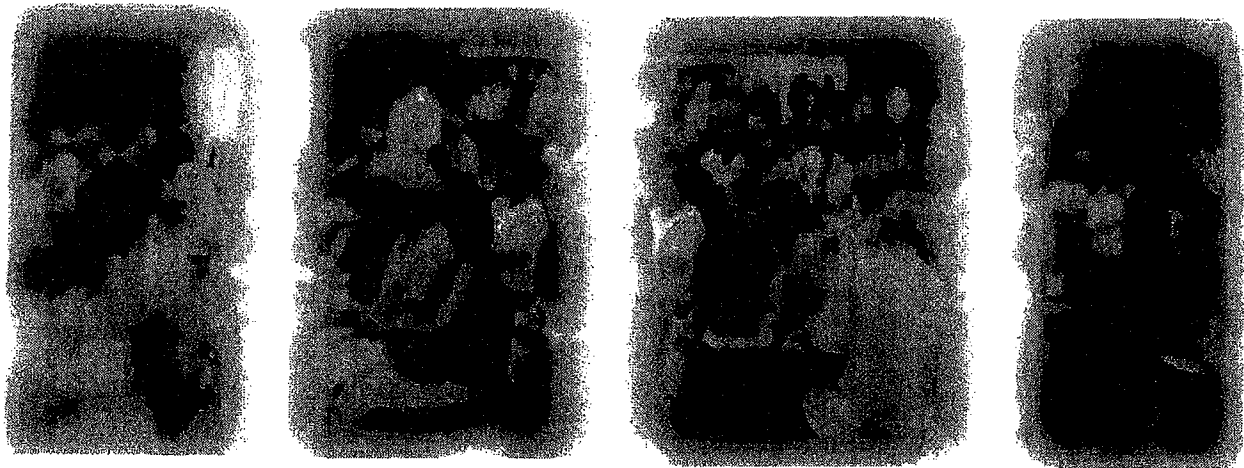
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CONNECTICUT COUNCIL OF SMALL TOWNS



COST is the strong voice of Connecticut's smaller communities. Its members - 1st selectmen, mayors, town managers and other municipal leaders - convene annually at *Connecticut's Town Meeting* to discuss and vote on a Legislative Platform. The COST Legislative Platform represents the members' highest-priority policy concerns to be advocated during the upcoming legislative session of the Connecticut General Assembly.

2010 PROPOSED LEGISLATIVE PLATFORM

PROPOSED FOCUS ISSUES

1. Maintain Fair-\$hare Funding for Education, Including Education Cost Sharing Grants to Towns and Special Education Reimbursements -

Connecticut's small towns and cities are committed to providing a quality education for all of their students. But escalating costs, state and federal mandates, unpredictable special education needs and declining revenues are creating unprecedented fiscal challenges in meeting our obligations. Further reductions in state aid will severely undermine the quality of our students' education.

2. Maintain and Release Funding for Municipal Grant Programs that Support Critical Infrastructure Maintenance and Improvement, Including Town Aid Road (TAR) and the Local Capital Improvement Program (LoCIP) and the Clean Water Fund -

By ensuring a well-maintained system of roads and bridges, improving our local infrastructure, protecting the state's water resources - and providing jobs for Connecticut workers - these programs will help build a strong foundation for Connecticut's economic recovery.

3. Make the Municipal Real Estate Conveyance Tax Permanent at its Present Rate

- The FY 2008-2009 budget agreement extended the current municipal conveyance tax rate until June 30, 2010. If the General Assembly fails to extend the current municipal conveyance tax rate, the loss of this revenue source would be very difficult for towns.

4. Enact a Meaningful Mandate Relief Package to Reduce the Financial and Administrative Burden on Small Towns and Cities, Including:

- Increase the Prevailing Wage Threshold on municipal public works projects to \$1 million and index the threshold to the annual inflation rate
- Reform the existing binding arbitration laws by modifying the Municipal Employee Relations Act and the Teacher Negotiation Act to give towns the right to reject arbitration awards by a 2/3 vote of a town's legislative body
- Allow towns to post on the Internet meeting and other legal notices currently required to be published in newspapers
- Repeal the In-School Suspension Mandate which requires towns to make additional space and staff available to monitor students in In-School Suspension
- Repeal the mandate on towns to remove and store the personal property left by evicted tenants
- Reform the FOI mandate requiring minutes and agendas to be posted on a town's website within strict statutory timeframes

5. Repeal or Reform Unfunded Mandates That Place an Unfair Fiscal Burden on Municipalities:

- Enact a statutory prohibition on any new or expanded unfunded state mandates
- Oppose legislation that will increase municipal costs by expanding benefits under the state's heart and hypertension and workers' compensation laws
- Reinstate the law requiring a public hearing on unfunded mandates referred to them by the Connecticut Advisory Commission on Intergovernmental Relations and advise leaders as to whether the mandates should be approved, rejected or modified was repealed
- Reject proposed stream flow regulations that will increase water rates, impose significant Infrastructure costs on towns served by municipal water departments and limit opportunities for economic development in numerous towns

6. Address Skyrocketing Municipal Health Insurance Costs By:

- Exempting municipal health insurance policies from the insurance premium tax
- Opposing efforts to mandate municipal participation in purchasing pools in ways that will drive up collective bargaining costs
- Authorizing two or more municipalities and/or boards of education to pursue joint employee health insurance plans

7. Increase State Incentives for Voluntary Regional Cooperation Between and Among Municipalities

- As Connecticut's small towns and cities struggle to do more with less, many communities are exploring new opportunities to share

resources to meet these growing needs. Programs such as the Regional Incentive Performance Grant program have been very successful in encouraging regional projects. The state should continue to fund these programs and make them more flexible to encourage even greater regional cooperation on a voluntary basis. COST is opposed to state-mandated consolidation or regionalization mandates.

STANDING POLICIES

STATE AID TO MUNICIPALITIES

Maintain Educational Cost Sharing Grants to Suburban and Rural Towns

While COST recognizes the fiscal pressures facing the State, it does not believe these pressures justify a failure to sustain funding for K-12 local education. Inadequate ECS funding of local education merely shifts the State's fiscal burdens to municipalities, and results in untenable increases in local property taxes.

Expand Investments in Excess Cost Grants (Special Education)

The cost of special education continues to grow at an exponential rate and is placing an untenable fiscal burden on many towns. *COST advocates a reduction in the State threshold for special education excess cost grants.*

Maintain Investments in the Town Aid Road (TAR) Program

For many smaller communities the Town Aid Road (TAR) program is one of their few sources of state aid. It provides towns with an essential source of financial support with which to make critically important improvements in the local road network. TAR funding levels are the same today as they were in 1967 when the program was established. During this period the consumer price index and the price of petroleum products have increased precipitously - yet TAR investments have not. Failure to maintain TAR at a sufficient level of funding has made it very difficult for towns to adequately maintain local roads and bridges. *COST urges at a continued commitment to local road funding at current levels.*

Maintain Full Funding for the Local Capital Improvement Program (LoCIP)

Like the Town Aid Road program, the Local Capital Improvement Program (LoCIP) provides municipalities with an invaluable source of support for local infrastructure improvement projects. The State of Connecticut's commitment to local capital improvement projects such as roads, bridges or other important public building construction activities must be maintained. *COST will advocate for full LoCIP funding.*

Fully Fund Pequot/Mohegan & Pilot Programs

Connecticut towns, which are overly reliant on property taxes to pay for essential public services, need the State of Connecticut to provide fair levels of funding for statutory aid programs including the Pequot/Mohegan and PILOT grant programs. *COST advocates full funding for both programs.*

FINANCE, STATE BONDING AND TAX POLICIES

Implement Property Tax Reform Initiatives

In an ongoing effort to reduce municipal over-reliance on local property taxes to fund essential local services, including education, *COST* urges passage of a bill that would fund a statewide build-out analysis and a tax incidence study.

Make the Current Municipal Conveyance Tax Rate Permanent

The Legislature has agreed to short term extensions of the increased municipal portion of the conveyance tax (from the old rate of \$1.10 per \$1,000 to \$2.50 per \$1,000 of transaction sales price). *COST* advocates making permanent the municipal portion of the conveyance tax at its present rate.

Maintain Small Town Economic Assistance Program Funding Levels

COST advocates maintaining the Small Town Economic Assistance Program (STEAP) at a minimum of \$20 million per year. STEAP is necessary to provide ongoing commitments of economic development funding to more than 130 suburban and rural towns, as is provided to the cities through the Urban Action Grant Program.

Provide Towns With Local Option For Conveyance Tax

During the past decade many towns have seen the local quality of life threatened by the rapid increase in both residential and commercial development and the decline of open space. In order to preserve prime land for the future benefit of community residents, many grassroots leaders have been seeking to stem the tide of development by purchasing such open space. However, state aid for open space acquisition has declined precipitously and prospects for increases in funding are dim. Consequently, *COST* supports the passage of legislation to enable towns to adopt an optional local conveyance tax as a new source of revenue for the purpose of acquiring open space.

Continue Support for the State Clean Water Fund

The Clean Water Fund provides grants and loans (from revenue bonds) to municipalities to plan, design, and build wastewater treatment plants. *COST* supports a continued, substantial commitment to this program.

UNFUNDED MUNICIPAL MANDATES

Prohibit Unfunded Mandates

Unfunded state mandates put an unfair fiscal burden on towns. Municipalities are experiencing enormous financial difficulties because of their over reliance on property taxes to pay for essential public services. Given current limited levels of state aid, towns cannot afford new unfunded mandates. *COST* urges the Legislature to adopt a statutory prohibition against unfunded state mandates on municipalities.

Reform Binding Arbitration Mandate

The binding arbitration mandate significantly increases the overall cost of municipal budgets. In these difficult economic times, current binding arbitration laws can no

longer be justified. *COST* urges the passage of legislation to modify the *Municipal Employee Relations Act* and the *Teacher Negotiation Act* to give towns the right to reject arbitration awards by a two-thirds vote of town's legislative body. *COST* also urges the Legislature to adopt the 2006 recommendations of the Program Review and Investigations Committee: "The *Teacher Negotiation Act* shall be amended to require fully stipulated awards be considered negotiated agreements and submitted to the local legislative body for review. Should the local legislative body reject the stipulated award, then the first panel arbitration process would begin anew. The opportunity for review by a second panel would not be available for stipulated awards rejected by local legislative bodies that go again into arbitration."

Increase Prevailing Wage Thresholds on Municipal Projects

Current estimates indicate that the prevailing wage mandate increases the costs of applicable local projects by up to 20%. Municipal taxpayers unnecessarily pay millions of dollars in higher costs for public works projects. *COST* supports passage of legislation to establish a single-tier, one million dollar threshold for prevailing wage rates on local public works projects. The threshold would apply to both new construction and renovations and would be indexed annually for inflation.

Reform Property Storage Mandate

State mandates place heavy financial burdens on towns and cities. One such mandate requires that municipalities gather and store personal property belonging to evicted tenants. *COST* opposes the municipal property storage mandate and will advocate legislation eliminating the requirement that municipalities gather and store the personal property belonging to evicted tenants.

PROMOTE HEALTHY COMMUNITIES & STRONG GRASSROOTS GOVERNMENT

Preserve and Strengthen the Municipal Probate Judge System

COST supports strengthening and preserving local probate courts in smaller communities. *COST* opposes the mandatory consolidation of local probate courts (directly or indirectly) and opposes any financing scheme for local courts that would be unfair to small towns. *COST* supports the development of a fair and equitable fee structure to help relieve the financial pressures that some probate courts may be experiencing.

Ensure Balanced Municipal Ethics Requirements

COST is opposed to previously proposed ethics bills that would have been extraordinarily expensive and contained provisions requiring public service volunteers to file personal financial disclosure statements. The fiscal note on one municipal ethics bill indicated that the cost to towns would be no less than \$60,000 per year. *COST* advocates fair and balanced municipal ethics requirements that reflect the needs and interests of local communities.

Oppose Mandated Elimination of Part Time Health Departments

The Legislature may again raise a bill during the 2009 session of the Connecticut General Assembly that would effectively force towns to eliminate part-time health

departments. *COST opposes proposals that mandate the elimination of part-time health departments.*

Promote Affordable Housing in Small Towns

The State's Affordable Housing Land Use Appeals Act provides that, unless 10% of a town's housing is affordable, the town cannot deny a developer's proposal for affordable housing without a very compelling reason. The law was modified during the 2002 session to allow a town to include "accessory apartments" as part of its 10% affordable housing count. However, under the amended Act, accessory apartments must have a 10 year deed restriction committing the owner to rent the apartment at 30% or less of the tenant's income, and to someone whose income is less than or equal to 80% of the area, or the state's median income, whichever is less. This onerous provision will reduce the number of homeowners willing to have their accessory apartments used to help meet the towns' "affordable housing" obligations. *COST supports legislation that would modify the State's Affordable Housing Appeals procedure to allow existing affordable market rate units to be considered in meeting the 10% threshold and to allow existing development patterns to be a factor in determining the density of proposed affordable developments.*

**Information on Letter of Agreement
with Susan Wyatt, Certified Exercise Instructor**

From January through December 2009 the Colchester Senior center contracted with a certified exercise instructor to lead a senior tailored exercise program which includes stretching, light aerobics and strength building. The program was provided at the center.

Due to a scheduling conflict that instructor is no longer able to work at our center. As a result, we found a replacement certified instructor to teach the same class two days a week.

The Letter of Agreement (contract) with Susan Wyatt includes the same language that was in the contract with the original instructor which was based on a standard contract used by the Colchester Parks and Recreation Department.

Town of Colchester/Senior Center

95 Norwich Ave
Colchester, CT 06415
(860) 537-3911

LETTER OF AGREEMENT

CONTRACT FOR PROFESSIONAL SERVICES BY & BETWEEN THE TOWN OF COLCHESTER SENIOR CENTER AND Susan Wyatt

Name/Location	Time Period	Instructor:	Hourly Rate
Senior Center	1/1/10-6/30/10	Susan Wyatt	\$35

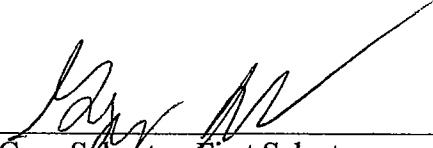
1. The contractor agrees to provide professional services with the specifications contained in the "Scope of Services" listed below.
2. Compensation to the contractor shall be at the rate of \$35 per hour. The contractor shall be paid at the conclusion of each 2 week period, and shall be responsible for submitting a contractual services pay slip issued by the Senior Center Director on a bi-weekly basis. Checks will be issued after pay slips are received and approved. Invoices are also acceptable and will be processed for payment no earlier than 2 weeks after program has started. Please allow 3 weeks for processing.
3. It is the philosophy of the Town of Colchester that a contractor's appearance and attitudes be reflected in his/her daily work practices. Contractors shall be expected to maintain a neat and clean appearance while under contract with the Town.
4. If it is deemed necessary, the senior center director reserves the right to add or cancel programs and to adjust work schedules as required, for the benefit of the program. The senior center director also reserves the right to revoke all contracts where inability to work established schedules is not in the best interest of the program.
5. It is mutually agreed that this is a contract for services and not a contract for employment. The Contractor shall not be entitled to any employment benefits from the Town such as but not limited to: vacation, sick leave, insurance, workers compensation, pension and retirement benefits. The Contractor shall be responsible for the filing of federal and state income tax information, as well as quarterly Social Security payments as a self-employed individual.

6. The Contractor shall at all times enter its appearance for, defend, indemnify, protect, and save harmless the Town of Colchester from any and all claims or demands for damages, either in law, or in equity, arising out of or by virtue of the execution of this agreement.

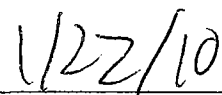
7. An updated liability insurance certificate with coverage of \$1,000,000.00 evidence of Workers Compensation Insurance and current CPR and First Aid Certificates for instructor will be provided upon acceptance of this contract. If your program is being held in a Colchester School building you and any employees must submit fingerprint cards along with processing fee to the BOE office prior to your first class.

8. A scheduled meeting with the program assistant prior to the start of the program is required. Rosters and attendance sheets will be given to instructor prior to the first class. Please return accurate attendance sheets to the senior center program assistant at the conclusion of your program.

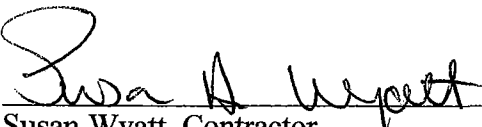
If you agree with the terms and conditions stated above, please sign and return one copy of this contract on or before December 31, 2009.



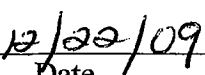
Greg Schuster, First Selectman



Date



Susan Wyatt, Contractor



Date