

**Board of Selectmen Regular Meeting Minutes
Thursday, May 20, 2010
Colchester Town Hall**

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COLCHESTER, CT
2010 MAY 21 PM 12:53

NANCY A. BRAY
TOWN CLERK
Nancy A. Bray

Meeting Room 1 – 7:00 pm

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

MEMBERS ABSENT:

OTHERS PRESENT: Derrik Kennedy, Tim York, Sal Tassone, Nancy Bray, Ryan Blessing, Katy Naly, Eva Gallupe, Guthrie Dinda, Sylvia Miller and other citizens

1. **Call to Order**
First Selectman G. Schuster called the meeting to order at 7:00 p.m.
2. **Additions to the Agenda**
Stan Soby moved to remove from the agenda items 5a and 5b and to renumber accordingly, seconded by Gregg Cordova. Unanimously approved. MOTION CARRIED.
3. **Approve Minutes of the May 6, 2010 Board of Selectmen Regular Meeting**
Rosemary Coyle moved to approve the minutes of the May 6, 2010 Board of Selectmen Regular Meeting, seconded by Greg Cordova. Unanimously approved. MOTION CARRIED.
4. **Citizen's Comments**
Gurthrie Dinda commented on item #9 regarding duration of program.
5. **Boards and Commissions – Interviews and/or Possible Appointments and Resignations.** Stan Soby recused himself from Health District Task Force interviews.
 - a. **Health District Task Force (maximum one year term to end with the committee's final report to the Board of Selectmen).** Jean Amara to be interviewed. Jean Amara was interviewed.
 - b. **Health District Task Force (maximum one year term to end with the committee's final report to the Board of Selectmen).** John Carroll to be interviewed. John Carroll was not present.
 - c. **Health District Task Force (maximum one year term to end with the committee's final report to the Board of Selectmen).** Mary Lynn Burke was interviewed on 05/06/10. Discussion and action on Mary Lynn Burke for possible appointment to Health District Task Force. Rosemary Coyle moved to postpone items 5d, 5e, 5f, and 5g until all applicants have been interviewed. Seconded by Greg Cordova, Stan Soby recused with motion approved by remaining Selectman..

- d. **Economic Development Commission (member appointment for a new term previously held by Cathy Pompei to expire 10/31/2014). Christopher J. Rowlins was interviewed on 04/01/2010. Discussion and action on Christopher J. Rowlins for filling vacancy.** Stan Soby moved to appoint Christopher J. Rowlins to the Economic Development Commission as a regular member for appointment for a new term previously held by Cathy Pompei to expire 10/31/2014, seconded by Rosemary Coyle. Unanimously approved. MOTION CARRIED.
 - e. **Economic Development Commission (member appointment for a new term previously held by Cathy Pompei to expire 10/31/2014). William DiCioccio was interviewed on 02/04/2010. Discussion and action on William DiCioccio for filling vacancy.** Board took no action.
6. **Budget Transfers – None.**
 7. **Tax Refunds & Rebates**
Rosemary Coyle moved to approve tax refunds in the amount of \$9.94 to Allen Del Valle, \$259.91 to Kassem Khybery, \$31.98 to Stephen \$ Lisa Capezzone, \$7.50 to Edward & Mary Mack, and \$70.71 to Arlene Campanelli, seconded by Greg Cordova. Unanimously approved. MOTION CARRIED.
 8. **Discussion and Possible Action on Replacement of Town Hall Photocopiers**
R. Coyle commented on length of lease. G. Cordoa commented on IT Department involvement. J. Ford commented on Copier functions. Greg Cordova moved to authorize the First Selectman to sign the lease agreement for Ricoh copiers associated with the proposed buyout of all current Canon copier leases held by the Town, and for the replacement of the Parks and Recreation Department copier, seconded by Rosemary Coyle. Unanimously approved. MOTION CARRIED.
 9. **Discussion and Possible Action on the Federal Adult Employment Program**
Greg Cordova moved to authorize the First Selectman to sign the Federal Adult Employment Program agreement to allow TVCCA to place up to 6 workers in the Parks & Recreation Department through June 30, 2010, seconded by Jim Ford,.Unanimously Approved. MOTION CARRIED.
 10. **Discussion and Possible Action on the Preventative Health Block Grant**
Rosemary Coyle moved to authorize the First Selectman to sign the Preventative Health Block Grant contract and grant-related paperwork as required for the 2011 Prevention Health Block Grant, seconded by Stan Soby . Unanimously approved. MOTION CARRIED.
 11. **Discussion and Possible Action on Caverly Mill Road Right-of-Way**
John and Jean Stawicki commented as concerned citizens(property owners)of abutting property in question. Consensus of Board was to let this go through the Planning and Zoning process before taking any action.
 - a. **Health District Task Force (maximum one year term to end with the committee’s final report to the Board of Selectmen). Jim Maffuid to be interviewed.** Stan Soby recused himself. Jim Maffuid was interviewed.

12. Citizen's Comments

Students asked questions: why Stan Soby recused himself from Health District interviews:questions regarding Caverly Hill Road:general questions on length of BOS meetings.

13. First Selectman's Report

Budget passed, thanks to all town staff
Bonding went out today-achieved savings on refunding over \$200M
Resignation of police officer, currently have 8 officers
Observed officers in qualification

14. Liaison Report

J. Ford commented on the Friends of Cragin Library, the Historic District Commission, and the Conservation Commission. R. Coyle commented on the Commission on Aging, the Open Space Commission, and the Senior Center Study Group. S. Soby commented on the Planning & Zoning Commission and Zoning Board of Appeals.

15. Adjourn

Jim Ford moved to adjourn at 8:08 p.m., seconded by Greg Cordova. . Unanimously approved. MOTION CARRIED.

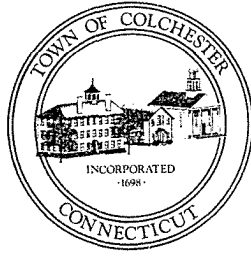
Respectfully submitted,



Sylvia J. Miller
Department Clerk to the First Selectman

Attachments:

- Memorandum regarding IKON State and Local Master Agreement and Product Schedules
- Memorandum regarding Federal Adult Employment Program
- Memorandum regarding FY 2011 Preventative Health Block Grant
- Memorandum from Salvatore Tassone regarding Caverly Mill Road
- Letter to Board of Selectman from John and Jean Stawicki regarding Caverly Mill Road



**N. Maggie Cosgrove
Chief Financial Officer
Finance Department
Town & Public Schools of Colchester**

MEMORANDUM

TO: Board of Selectmen

FROM: N. Maggie Cosgrove, CFO

DATE: May 14, 2010

RE: IKON State and Local Master Agreement and Product Schedules

Background

The Town and Board of Education currently lease Canon copiers through IKON. IKON is now a distributor of Ricoh copiers and has been authorized by Ricoh to buyout all existing Canon copier leases in order to replace those copiers with Ricoh copiers. By choosing to participate in this offer, the Town and Board of Education have an opportunity to realize cost savings from reduced monthly lease payments and energy savings.

In addition, the current Parks and Recreation copier lease is expiring and IKON has submitted a lease proposal for a Ricoh copier with network scanning and printing capabilities.

Recommendation

Authorize the First Selectman to sign lease agreements for Ricoh copiers associated with the proposed buyout of all current Canon copier leases held by the Town, and for the replacement of the Parks and Recreation department copier.



“Creating Community Through People, Parks and Programs”

127 Norwich Avenue, Colchester, CT 06415

(860) 537-7297 | Fax: (888) 468-6093 | parksandrec@colchesterct.gov | www.colchesterct.gov

MEMO

To: Board of Selectmen
From: Jason Cohen, Director
Date: May 6, 2010
Re: Federal Adult Employment Program

Proposal

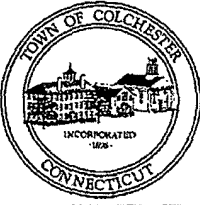
Sign the enclosed agreement to allow TVCCA to place up to 6 workers in our department through the federally funded program through June 30, 2010. The work schedule would be 8:30am-2:30pm on Monday, Wednesday and Friday.

Rationale

This is similar to the youth employment program in which we participated last summer. It is a win-win program, as the staff are employed and paid by TVCCA, but work under our supervision. The town gets free help during a critical time for parks maintenance.

Staff would assist with general maintenance, such as trash removal, weed trimming and the like. They would not operate any heavy machinery.

The town does not take on any liability for workman’s compensation or unemployment.



Colchester Health Department



Public Health
Prevent. Promote. Protect.

MEMORANDUM

DATE: May 13, 2010
TO: Gregg Schuster
Board of Selectmen
FROM: Wendy Mis *W Mis*
RE: Grant funding

The Health Department is making application to the CT DPH for the FY 2011 Preventive Health Block Grant. This is an annual grant offered by DPH to local health departments. In the past, this grant has been used to fund, among other things, a blood borne pathogen study in businesses that intentionally break the skin, a senior fall prevention program, and crosswalk safety and awareness programs. This year, we are eligible for \$1,994 in funding. In the absence of significant funding, it is felt that using small grants over a period of time to build upon previous programs will allow forward movement in specific areas to benefit the town. The program proposed this year is a continuation of the recent focus of physical activity and obesity reduction.

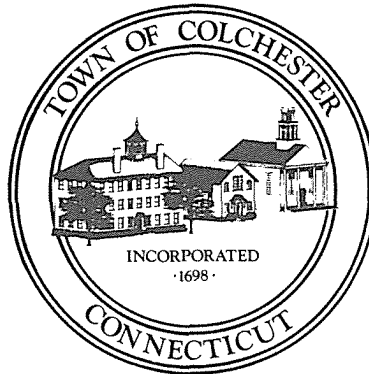
The proposed program includes purchasing bicycle racks to be placed at a few locations in town to be determined. It is anticipated that easy access to available bike racks will increase bike ridership. Policy change to address nutrition policies is also proposed with Parks and Recreation. Program details may be adjusted or added as the program is further developed. Colchester Parks and Recreation is a collaborating partner.

The grant application will require the signature of the First Selectman.

Please consider a motion to pass a resolution allowing the First Selectman the authority to sign the contract and grant related paperwork as required for the 2011 Prevention Health Block Grant.

May 3, 2010

Code Administration
Building Official
Fire Marshal
Wetlands Enforcement



Planning and Zoning
Planning Director
Zoning Enforcement
Town Engineer

To: Board of Selectmen

Copy: Craig Grimord (ZEO), Adam Turner (Planning Director), Mark Decker (DPW)

From: Salvatore Tassone P.E. – Town Engineer

A handwritten signature in cursive script, appearing to read "Sal Tassone".

Re: This memorandum is for clarification and in response to a request by Gary Souza, principal of Sippycup LLC. for permission to use and make such improvements as are necessary within the abandoned portion of Caverly Mill Road right-of-way so as to facilitate access to a proposed single family home on existing land owned by Sippycup LLC. (Copy of letter from Gary Souza attached).

In the past, the Town/BOS has received and granted similar requests on abandoned or discontinued portions of old roads such as Sullivan Road and Munn Lane. The Town's position has essentially been as follows (specifics noted for Caverly Mill Road).

Caverly Mill Road is an unimproved Town Road which is maintained and plowed for 0.28 miles from its intersection with Norwich Avenue. Beyond that point the road is abandoned due to lack of maintenance. The underlying right-of-way remains the property of the Town of Colchester. Properties fronting on the abandoned portion of Caverly Mill Road may be legal non-conforming lots, which existed prior to the abandonment of that portion of Caverly Mill Road. The Town of Colchester has no intention at this time to resume maintenance of the abandoned portion of Caverly Mill Road (approximately 0.08 mile to the State Route 2 Highway Line – see attached sketch map and aerial photo map).

Pursuant to CGS Section 13a-55: "Property owners bounding a discontinued or abandoned highway, or a highway any portion of which has been discontinued or abandoned, shall have a right-of-way for all purposes for which a public highway may be now or hereafter used over such discontinued or abandoned highway to the nearest or most accessible highway, provided such right-of-way has not been acquired in conjunction with a limited access highway."

Property owners abutting the abandoned portion may construct and maintain their driveway (at their own expense) over the Town road right-of-way with the specific approval of the Board of Selectmen of the Town of Colchester. Driveways for single family residential development must conform to the standards of Section 3.7.3.D of the Zoning Regulations, including that portion which is within the Town right-of-way. Pending BOS approval, the owner/applicant must submit proposed single family lot development plans for review by town staff to assure conformance with all applicable regulations.

39 Caverly Mill Road
Colchester, CT 06415
May 20, 2010

Board of Selectmen
127 Norwich Avenue
Colchester, CT 06415

Re: Board of Selectmen's Agenda for 5/20/2010
Item #11

Dear Board Members,

It has come to our attention by way of a member of the Board of Selectmen, that Item 11 concerning Caverly Mill Road is on the Board of Selectmen's Agenda for tonight. This item has raised concerns on our part because the present owner, and his predecessors in interest, have claimed our driveway as being the town road right of way. When we purchased the property next door to the now Sippycup property on October 31, 1984, which Sippycup property is the subject of this application, the Planning and Zoning staff denied that our driveway was in the road right of way and said that we would need to maintain that section of driveway ourselves. Consistently, and to the present day, the Town staff has denied that our driveway was part of the road right of way.

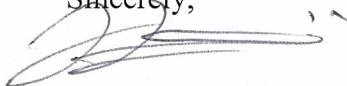
Since Sippycup purchased the property on July 31, 2009, it has used our driveway to access its property and Mr. Gary Sousa has told prospective buyers and other's accessing Sippycup's land to use our driveway for the reason that our driveway is the town road right of way. Sippycup has had its property surveyed, has dug test pits on our property, has had the town come out to view the digging of the test pits and has been showing the property for sale, all accessing its property and our property by way of our driveway. Sippycup has not filed a copy of its survey with the town clerk or with the building office, refuses to give us a copy of its survey, will not allow its surveyor to give us a copy of its survey and does not return our phone calls.

I talked with a prospective buyer of the Sippycup property who had a contract to purchase the Sippycup property and he was told by his seller that the town would do all of the construction and maintenance of the driveway where it crosses the stream. The buyer also showed me that the corners of "his property" were 150 to 200 feet further into our property than where they actually were.

We have no objection to Sippycup accessing the town road right of way from its property, but we do object to its accessing the road right of way by going over our driveway and property. Because of the lack of clarity as to the actual location of the town road right of way in this area, I would suggest that the town would want Sippycup to establish the town road right of way by means of an A-2 survey done at its expense, as opposed to being at the town's expense, before it can show that its build-out of its access will meet the town codes and regulations.

Thank you for hearing our concerns about the above agenda item.

Sincerely,



John L. Stawicki



Jean M. Stawicki