



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

**Board of Selectmen Minutes
Regular Meeting Minutes
Thursday, February 5, 2015
Immediately following Tri-board School Building Meeting
Colchester Town Hall, Meeting Room 1**

RECEIVED
COLCHESTER, CT
2015 FEB -9 PM 2:27
TOWN CLERK

MEMBERS PRESENT: First Selectman Stan Soby, Selectman Denise Mizla, Selectman Rosemary Coyle, Selectman Bill Curran, and Selectman Kurt Frantzen via teleconference

MEMBERS ABSENT: none

OTHERS PRESENT: BOF Chair R. Tarlov, BOF A. Shilosky, CFO M. Cosgrove, Registrar D. Mrowka, Public Works Director J. Paggioli, Superintendent J Mathieu, BOE B. Bernier, T. Dean Clerk, and other citizens

1. **Call to Order**
First Selectman S. Soby called the meeting to order at 7:30 p.m.
2. **Additions to the Agenda**
S. Soby asked that the following item be added to the agenda as Item #14 Discussion and Possible Action on Consultant Agreement for Fire Department Strategic Plan, remaining agenda items to be renumbered accordingly.

R Coyle moved to approve the addition to the agenda as presented, seconded by D Mizla. Unanimously approved.
MOTION CARRIED
3. **Approve Minutes of the January 15, 2015 Commission Chairmen Regular Meeting**
R. Coyle moved to approve the Regular Board of Selectmen Meeting minutes of January 15, 2015, seconded by D. Mizla. Unanimously approved. MOTION CARRIED
4. **Approve Minutes of the January 15, 2015 Regular Board of Selectmen Meeting**
R. Coyle moved to approve the Regular Board of Selectmen Meeting minutes of January 15, 2015, seconded by D. Mizla. Unanimously approved. MOTION CARRIED
5. **Citizen's Comments –**
Tammy Bakaj read a letter regarding agenda item #13 (attached).
Dorothy Alderman spoke to the Board about banning the use of outdoor wood furnaces by listing the negative factors to the environment as well as health.
6. **Boards and Commissions – Interviews and/or Possible Appointments and Resignations**
 - a. **Commission on Aging – Marion Stanavage possible appointment for a three year term to expire 12/1/2017 – not present**
 - b. **Blight Task Force – Resignation of Alan Harrison**
R. Coyle moved to accept the resignation of Alan Harrison as a member of the Blight Task Force, seconded by D Mizla. Unanimously approved. MOTION CARRIED
7. **Budget Transfers - none**
8. **Tax Refunds & Rebates - none**
9. **Government Finance Officers Association Budget Presentation Award**
S. Soby presented the award to CFO Maggie Cosgrove and commended her for all her hard work on achieving this award for the third year.

**10. Discussion and Possible Action on Non-Union Employee and Elected Official Compensation
Hayward Fire Department**

S Soby discussed tentative plans on how to proceed to calculate percentage amount, by being tied in to union contracts. Iabled to next meeting.

11. Discussion and Possible Action on Outdoor Wood Furnaces

R. Coyle asked questions regarding the furnaces such as how many does Colchester have, if a building permit is needed, are they addressed in the zoning regulations, and how would a ban co-inside with the new zoning regulations. There wasn't a definitive answer available at the time of the meeting, discussion tabled to next BOS meeting.

12. Discussion and Possible Action on Contracting Additional Road Plow Contractor

J. Paggioli, PW Director, stated that the town lost a truck in a drainage ditch due to the last major snow storm. The truck is damaged but can be repaired, however there is a timeframe issue where an additional truck will be needed to cover the route for the rest of the winter season.

D. Mizla moved that the Town of Colchester enter into a contract for the remaining portion of the 2014-2015 winter season as detailed within the response of RFP 2014-12 for one truck from S. Roy dba CCL Bobcat at \$158.00/hour and eliminating the Minimum Seasonal guarantee amount from contract/RFP response; and hereby authorize the First Selectman to enter into a contract and sign all necessary documents, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

13. Discussion and Possible Action on School Plowing Operations

J Paggioli discussed the two phase issue. First phase is with the performance of the current contractor. The contractor has not performed in accordance with the contract which gives cause to terminate. No objection from contractor, Action Jackson. Second phase, as per the Town's purchasing policy, the second lowest qualified bidder has been contacted, Clark's Landscaping. J Paggioli acknowledged and discussed the bid issue as brought up during citizen comments by Tammie Bakaj. Contractor can start 2/6/15. R. Coyle asked if the cost would be a pro-rated amount for the remainder of the season. J. Paggioli confirmed that the contractor would be paid 2/5 of the bid price of \$92,000 for the remaining portion of the year. K. Frantzen asked if the acceptance of the second bid compliant with our procurement standard and specification language. J Paggioli answered that a typographical error on the bid was handled and clarified at the bid opening, so it is consistent with bid specifications. R. Coyle asked if the new contractor has done work for the town before. J Paggioli answered yes and he currently has the town routes. D Mizla posed the question if Clark can handle both contracts. J Paggioli stated that the contractor has presented his equipment and employees required and is not double-booked.

D. Mizla moved to authorize the First Selectman to terminate for cause, as listed herein, the existing contract with Michael Jackson dba Action Jackson in regard to Town School Snow and Ice Control Services RFP 2013-14 dated 25 August 2014 including addendum #1, effective 2/6/2015 and authorize the First Selectman to enter into a contract, and sign all necessary documents, in accordance with the Invitation to Bid Town School Snow and Ice Control Services RFP 2013-14 dated 25 August 2014 including addendum #1, with Clark's Landscaping for the remaining portion of FY 14-15 at the prorated amount of \$36,800 starting 2/6/15 of the remaining season of the \$92,000 bid amount and at a fixed rate of \$92,000 per year for FY 15-16 and FY 16-17 as stipulated within the RFP 2014-13 response, effective 2/6/2015, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

14. Discussion and Possible Action on Consultant for Fire Department Strategic Plan

No information provided to Finance or Board of Finance by Fire Department. NO ACTION

15. Citizens Comments

Steve Schuster expressed his concern with former School Plowing Contractor Action Jackson for not fulfilling his obligation. S Soby noted that the Director of Public Works did vet the contractor as per requirements.

16. First Selectman's Report

Grand List calculation completed by Assessor with an increase of 0.6%, with 7.4 million additional in assessments for \$226,000 in additional tax revenue. Some of the increase offset a reduction in construction equipment on the list this year from last year; Attended Regional Human Services coordinating committee breakfast meeting for SCOGG, discouraging talks regarding proposed budget and what it will look like. Holding towns harmless may not be in effect as originally planned. Will get more information on the 18th; Government 101 continuing with the library presenting this week. Last week during the First Selectman presentation attendees were able to tour Town Hall and see each department; Attended C3 meeting which they asked for funding to be put into the towns budget again this year; Probate Court budget decreased; Issue by a tax payer was brought to the First Selectman's attention regarding get well gifts and

how they were paid for by the Police Commission. It was made clear that any gifts given would have to be a "collection" to be paid for; Met on 2/5/15 with the Historical Society who have ideas on programming, access and coordinating with Heritage Tourism. They would like signs regarding historical locations and better access to sites. Also discussed repair work needed and lease for Historical Society Museum building;

Participated in Connecticut in the Capital which was a program presented by Sens. Murphy and Blumenthal to discuss Important topics such as healthcare, infrastructure and immigration. It was a good opportunity to work with municipalities, thought leaders in CT, businesses and the non- profit sector. S Soby noted that it cost the town nothing for him to go, that it was paid for on his own; Fuel Bank donation by Family Pizza customers \$1000, which was matched by Chris at Family Pizza and Reliable Oil, which totaled \$3,000 donation to the fuel bank; Broadway Wine started collecting this past weekend for Freezin for a Reason which takes place 2/20, 21, 22 on the town green. Donations will also be accepted for the fuel bank on the green during that weekend. This is an event to raise awareness for the fuel bank; Snow operations have seen quite a bit of snow over the two weeks. Logged into web EOC to stay connected, conducted the last storm EOC out of Town Hall so the weather could be watched via windows. The crews have done a tremendous amount of work and have done really well; J Paggioli mentioned that London County is submitting numbers for possible qualification for presidential declaration. May give 75% reimbursement to towns for overtime, contractor, and equipment cost; Budget survey completed and results are posted on the website.

17. Liaison Reports

D. Mizla reported on Youth Services Advisory Board had the first meeting of the year. Discussed Summer Palooza for June 13th. Community Conversations on 3/25 on the topic of addiction. There will be speakers for parents and for students separately.

B. Curran reported that the EDC cancelled their last meeting. P&Z new regulations went live on the system. POCD would like to discuss what steps are next.

18. Discussion and Possible Action on Library Job Description Revision

Discussion on revisions of job description as presented by the Library Director. The Board did not feel there was a clear communication for changes requested. S Soby requested that a clean copy based on board comments be presented at the next BOS meeting. It was advised not to post the job with the existing job description.

Tabled

19. Adjourn

R Coyle moved to adjourn at 8:42 p.m., seconded by D. Mizla. Unanimously approved. MOTION CARRIED.

Respectfully submitted,

Tricia Dean, Clerk

February 5, 2015

Dear Board of Selectmen Members,

In reference to tonight's agenda item #13 on School Plowing Operations, I would like to take this opportunity to examine a few points of concern regarding the Town School Snow and Ice Control Services contract. As a discussion is to be held about removing the current contractor, I believe it is in the town's best interest to consider why this recent contract has gone awry. What can history teach us? What considerations should be made when reviewing future contractor candidates? As I will work to explain here, I believe there are three important lessons to learn from this experience.

First of all, does the contractor have the capacity to fully meet the demands of the contract? Does the bidder own, not primarily lease, the equipment necessary to perform the duties listed? As is clearly stated in "Instructions to Bidders" #12B, the town should consider a bidder unqualified if they do not "habitually perform with his/her own forces and equipment the major portions of the work involved in the Contract Documents." Additionally, this document considers the necessity of having additional equipment available and maintained for back up as noted in "Supplemental Conditions" #2. One last important consideration when hiring a replacement contractor in the middle of a snow season is what are the contractor's present private and public contracted obligations. Will the contractor be spread too thin?

Secondly, does the contractor have the experiences and references of equivalent work to prove their capacity? In addition to equipment, the contractor is required under "Supplemental Conditions" #5 to provide 2 current references where similar work was performed by the bidder. What does similar mean? If someone plows driveways, roads or small parking lots, is this similar to 4 large and complex parking lots? Well, would you hire a contractor that refinishes bathrooms or builds a garage addition to build you a whole school? I think not. These parking lots require experience with heavy equipment to remove the snow properly.

Lastly, is it in the town's best interest to hire a contractor based on an incomplete or inaccurate bid? If a bid is submitted with figures that do not balance, should the town accept this bid and make assumptions for their legitimacy. For instance, the bid submitted by Clark's Landscaping as read at the bid-opening meeting on September 24, 2014 had a discrepancy in its price for the third year of the bid contract which was listed for less than \$100. How can it be determined which of the figures on the bid were accurate and which were mistakes? Is it ethical for the town to make changes to the bidding documents? Due to the fact that bids are notarized and binding, it is customary for towns to dismiss flawed bids in order to avoid opening themselves up to litigation.

As you discuss the current and future snow and ice removal contracts, I believe it is in the Town of Colchester's best interest to thoroughly explore these areas of concerns. Has thorough and complete information been collected regarding the qualifications of the new contractors? As noted through out the bid package, the Board of Selectmen has the right to choose a contractor based on what benefits our town.

I'd like to leave you with one last thought. As a teacher, it always concerns me when rushed decisions are made regarding the safety of our children. I wonder, with such a quick replacement of service providers, have all required precautions been taken regarding background checks. Will all employees be approved prior to working on school grounds?

I appreciate your time and consideration of my concerns.

Sincerely,

Tammie Bakaj

Tammie Bakaj