

BOARD OF SELECTMEN

DEEP RIVER TOWN HALL

Regular Meeting – November 24, 2009

ATTENDANCE: Selectmen Dick Smith, Art Thompson, Dave Oliveria
Jack White, Bob & Cathy Jenkins, Rich Strukus

This regular meeting was called to order at 6:40pm by Dick Smith.

MINUTES: Regular Meeting – November 10, 2009
Special Meeting – November 20, 2009

A motion was made by Dave Oliveria and seconded by Art Thompson to approve the minutes of both meetings as presented. APPROVED 3-0.

APPOINTMENTS:

CT River Estuary Regional Planning Agency

David Wylie	12/01/09 – 12/01/11	Unaffiliated
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A motion was made by Art Thompson and seconded by Dave Oliveria to approve the appointment. APPROVED 3-0.

Conservation & Inland Wetlands Commission

	Carmela Balducci	12/01/09—12/01/12	Democrat
	John Szymanski	12/01/09—12/01/12	Unaffiliated
Alt:	Michael H. Tomlinson	12/01/09—12/01/12	Democrat

A motion was made by Dave Oliveria and seconded by Art Thompson to approve the appointments. APPROVED 3-0.

Economic Development Commission

Theodore W. MacKenzie	12/01/09 – 12/01/12	Unaffiliated
Adam D. Schwartzman	12/01/09—12/01/12	Democrat

A motion was made by Dave Oliveria and seconded by Art Thompson to approve the appointments. APPROVED 3-0.

Parks & Recreation Commission

Janice E. Kmetz	12/01/09—12/01/12	Republican
Stacy M. LaCasse	12/01/09—12/01/12	Unaffiliated
Mary-Elizabeth C. Massey	12/01/09—12/01/12	Republican
David S. Talbot	12/01/09—12/01/12	Democrat
Nancy A. Talbot	12/01/09—12/01/12	Democrat
Karen M. West	12/01/09—12/01/12	Unaffiliated
Peter L. Woodcock	12/01/09—12/01/12	Republican

A motion was made by Art Thompson and seconded by Dave Oliveria to approve the appointments. APPROVED 3-0.

Planning & Zoning Commission

	Leigh Ann Balducci	12/01/09—12/01/12	Democrat
	Jonathan Kastner	12/01/09—12/01/12	Democrat
Alt.	John Attridge	12/01/09—12/01/12	Republican

A motion was made by Dave Oliveria and seconded by Art Thompson to approve the appointment. APPROVED 3-0.

Zoning Board of Appeals

	Edward Judd	12/01/09—12/01/12	Democrat
	Charles Rayner	12/01/09—12/01/12	Democrat
Alt.	Lenore T. Kuhn	12/01/09—12/01/12	Unaffiliated

A motion was made by Art Thompson and seconded by Dave Oliveria to approve the appointments. APPROVED 3-0.

Constables

	Peter Lewis	12/01/09—12/01/10
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Richard H. Smith
Raymond Sypher, Jr.

12/01/09—12/01/10
12/01/09—12/01/10

DISCUSSION:

Selectman Oliveria asked 1st Selectman Smith to explain his dual position as First Selectman and Police Officer. Smith explained that he was first appointed as a Constable in 1973 and has served for 37 years. In 1989, before deciding to be a candidate for First Selectman, he spoke with the Secretary of the State's office and the town attorney. Both stated that even though it was a unique situation there was no state statute that prohibited him from serving in both positions simultaneously. Smith noted that only one complaint (this complaint was a result of an M/V arrest by Sypher FC-98) had been filed against him during the 37 years since his first appointment. Also, during that period, there have not been any lawsuits involving any actions by any D.R. police officer.

During the discussion Smith clarified the relationship of the Constables (Police Officer) with the Resident Trooper: the Resident is responsible for the oversight, such as ensuring their proper training, equipment they carry is in working order, evaluating their performance etc. In the event of a complaint being filed against any Deep River Police Officer, it is the CT State Police (CSP) that conducts an investigation independent of the town government (this is the practice of any town with a Resident Trooper). In jurisdictions without an organized police department, such as Deep River, the Chief Elected Officer has the title of Chief of Police, (some 1st Selectman carry a badge identifying them as such, Smith does not) which allows them certain police authority.

Rich Strukus asked why, especially in the case of full time officer Raymond Sypher, Deep River Constables were appointed annually instead of being hired as regular town employees. Smith explained that Constables are town employees. Years ago Constables weren't required to have any training, and in many towns, were elected before being appointed. Constables were used primarily for such events as traffic control for parades, school events and Halloween. Smith also stated that this question has come up several times from the patrol officer's in the past. Smith will investigate as to how other towns have changed their ordinance.

Smith also noted that part-time officers receive no overtime pay whether they work one or twenty hours during a shift, except for service at special events, for which the town is fully reimbursed. Our full-time officer is paid time and half for any shift when he works over eight hours. He explained that the training and recertification for Deep River officers is identical to or some times more, based on the equipment issued to them. Certification is issued by the State of Connecticut Police Officer Standard and Training Council.

Smith also stated that the length of service and maturity of Deep River's Officer's provides an important knowledge of the town and its people. Smith was proud to say that the experience of Deep River officers enables them to solve cases quicker and prevents complaints and lawsuits from being file.

A motion was made by Dave Oliveria and seconded by Art Thompson to approve the appointments. First Selectman Smith abstained. APPROVED 2-0, 1 ABSTENTION

Special Constables

James E. Beardsley, Jr.	12/01/09—12/01/10
Victor J. Budney	12/01/09—12/01/10
Jerry F. Clark, Sr.	12/01/09—12/01/10
Robert L. Jenkins	12/01/09—12/01/10
Jonathan Kastner	12/01/09—12/01/10
Roycroft A. Monte	12/01/09—12/01/10
Paul Mozzochi	12/01/09—12/01/10
Raymond P. Mozzochi	12/01/09—12/01/10
Keith W. Nelson	12/01/09—12/01/10
Robert F. Seibert	12/01/09—12/01/10
Murray H. Zack	12/01/09—12/01/10

A motion was made by Dave Oliveria and seconded by Art Thompson to approve the appointments. APPROVED 3-0.

Art Thompson asked about the Visiting Nursing Committee's mission and responsibilities. Smith stated that the committee will act in an advisory capacity only, and that it has no formal authority to take any actions. Its charge is to investigate all aspects of the operations of the Deep River VNA—budget, income, patient load, etc.

VNA Committee has been asked to submit a report to the Board of Selectmen by January 2010. After the BOS and Finance have had an opportunity to review the report they will hold a public hearing. Residents will have an opportunity to ask questions of the BOS and VNA Committee as well as comment on the VNA operation.

After the BOS and Finance have an opportunity to review all the information provide they will decided the next step.

APPROVAL OF 2010 MEETING SCHEDULE

A motion was made by Art Thompson and seconded by Dave Oliveria to approve the schedule of meetings for 2010. APPROVED 3-0.

Jack White asked what the status was of the Village Street Bridge. Smith stated that Nathan Jacobson Associates has completed the design and we are now waiting for approval from the Army Corp of Engineers. After their review and approval, we will be authorized by the State of CT Department of Transportation to go out to bid.

ANY OTHER BUSINESS TO COME BEFORE THE BOARD:

There was no other business.

ADJOURNMENT

A motion was made by Dave Oliveria and seconded by Art Thompson to adjourn at 7:40 pm. APPROVED 3-0.

Richard H. Smith
First Selectman