

BOARD OF SELECTMEN

DEEP RIVER TOWN HALL

Regular Meeting of July 13, 2010

Attendance: Selectmen Dick Smith, Art Thompson & Dave Oliveria. *Also:* Margot Hilfinger, Rich Strukus (*video recording*), Russell Marth, Bob Jenkins, Patricia Damon (*Judge of Probate*)

1] Call to Order:

The meeting was called to order at 6:36 pm by Dick Smith.

2] Minutes:

Regular Meeting of June 25, 2010. Motion by Art Thompson, 2nd by Dave Oliveria, to approve the minutes of the previous meeting.

APPROVED 3—0

3] Probate Court

Judge Damon discussed at length existing Probate Court records, which have been housed safely in the Town Clerk's vault in the Deep River Town Hall since 1893, when the Town Hall first opened.. Smith noted that he had sent a letter dated July 12, 2010 to Judge Damon requesting that she advise the Court Administrator of the Town's keen desire to have the records remain, as they have for more than a century, in the Town Hall vault.

Thompson inquired whether the Judge for the new Probate District would be better served if the records were in his office, which is expected to be in Old Saybrook. Judge Damon explained that they are used mostly for research by title searchers and genealogists.

Text of the letter follows:

July 12, 2010

The Honorable Patricia Damon,
Town of Deep River Judge of Probate
171—B Main Street
Deep River, CT 06417

VIA COURIER

Dear Judge Damon:

Per our conversation of last week, let this letter serve as the Town of Deep River's keen desire to retain all Court records produced prior to the formation of the Regional Probate Court next January.

It is our contention that, like the land records that date back to the early settlement of our region, these Probate records are part and parcel of our local history. As you know, space is not an issue. These invaluable records have long occupied their assigned space in our Town Clerk's vault. Furthermore, researchers will find it much more expeditious to have both sets of records remain where they are, as they have throughout recent history.

Please pass this letter on to whomever you feel should be aware of our strong feelings. We look forward to maintaining this avenue to Deep River's history as we have for many, many years. If I can be of further assistance in this quest, please call on me.

Yours very truly,

Richard H. Smith.
First Selectman

Motion by Oliveria, 2nd by Thompson, to formally endorse Smith's letter.

APPROVED 3—0

4] Grant Resolution for Town Clerk

Motion by Oliveria, 2nd by Thompson, to approve the following resolution:

Resolved: That Richard H. Smith, First Selectman of the Town of Deep River, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for an Historic Documents Preservation Grant.

APPROVED 3—0

5] Nursing Service Closure Update

There was a lengthy discussion concerning closing the Nursing Service. The transition appears to have gone very smoothly. There were a few Social Services issues which were handled with the assistance of Rosie Bininger, Chester's social services Director. Smith gave an update on billing, over-expenditures and expected revenues.

Thompson offered his draft of a proposed ordinance that would establish a Deep River Public Health Nursing Committee for the following purposes:

- A) Advise the Board of Selectmen on all matters related to Public Health Nursing;
- B) Act as liaison between the Deep River community and our contracted nursing service;
- C) Administer the Memorial Fund as a special segregated town fund for charitable purposes to promote public health;
- D) Assume any other duties or responsibilities assigned to the Public Health Nursing Committee by the Board of Selectmen or a Town Meeting.

Thompson noted that he had consulted with Town Attorney Jane Marsh to ensure that the document is properly worded. Attached is a revision of Thompson's draft, which the Board will review and finalize at their July 27, 2010 meeting. Text of the proposal and related documents follows:

07.08.2010 Revision: Deep River Public Health Nursing Committee

Resolved by the Deep River Town Meeting: The Deep River Board of Selectmen shall be authorized to create a Public Health Nursing Committee for the following purposes:

- a. Advise the Board of Selectmen on all matters related to public health nursing;
- b. Act as liaison between the Deep River community and our contracted nursing service;
- c. Administer the Memorial Fund as a special segregated town fund for charitable purposes to promote public health;
- d. Assume any other duties or responsibilities assigned to that Public Health Nursing Committee by the Board of Selectmen or a town meeting.

To accomplish these purposes, the Public Health Nursing Committee shall be authorized to:

- a. Create and administer additional special service funds;
- b. Solicit funds for special service funds;
- c. Apply for, receive, and administer grants that are consistent with the stated or assigned purposes of the Public Health Nursing Committee;
- d. Exercise additional authority granted to the Public Health Nursing Committee by the Board of Selectmen or a town meeting.

The membership of the Public Health Nursing Committee shall not exceed seven. Membership of the Public Health Nursing Committee shall include all Deep River representatives on the board of directors of our contracted nursing service.

All members of the Public Health Nursing Committee shall be appointed by the Board of Selectmen, with confirmation by a town meeting, for terms of 4 years. The initial Public Health Nursing Committee will have 3 members appointed for 4 years, with the remaining 4 members serving 2-year terms. Thenceforth, all appointments shall be for four year terms.

The Board of Selectmen shall develop, or cause to be developed, suitable by-laws, fiscal procedures, objectives, and policies that will serve to govern the operation and functioning of the Public Health Nursing Committee.

The Board of Selectmen shall have the authority to amend and/or rescind any of those by-laws or operating procedures.

End of Town Meeting Resolution

07.08.2010 Revision: Deep River Public Health Nursing Committee

Motion of Deep River Board of Selectmen: To follow Town Meeting passage

Purposes--To accomplish the purposes included in the Town Meeting Resolution, the Board of Selectmen expect the Public Health Nursing Committee to:

- a. Administer the Memorial Fund fairly and consistently by
 1. Specifying the purposes of the Memorial Fund consistent with the expectations of past donors to promote individual, family, and community health;
 2. Developing eligibility criteria;
 3. Identifying needs;
 4. Expending funds consistent with the stated purposes identified needs and eligibility criteria of the Memorial Fund.
- b. Create additional special service funds by
 1. Identifying needs and specifying the purpose of those special service funds;
 2. Developing eligibility criteria;
 3. Soliciting financial resources for the special service funds;
 4. Expending funds consistent with the stated purposes, identified needs and eligibility criteria of the special service funds.
- c. Work closely with the town's social service director;
- d. Conduct an on-going patient satisfaction assessment of services that are provided by our contracted nursing service.

Membership & Committee Officers--Membership requirements are stated in the Town Meeting Resolution.

The Board of Selectmen expect that the Public Health Nursing Committee will elect from within its ranks the officers that are needed for proper functioning of the organization. Initially, only a chairperson and secretary are foreseen. Other officers may be added as need arises.

(Election of officers of the Public Health Nursing Committee shall be conducted annually at the committee's regularly scheduled meeting in January.) Jane's suggestion.

Reports

- a. An annual report from the contracted public health nursing service is to be included in the Deep River Town Report;
- b. Minutes of the Public Health Nursing Committee meetings will be filed with the Town Clerk as required by Freedom of Information Act (FOIA) regulations;
- c. A copy of those minutes will be submitted to the Board of Selectmen for information purposes;
- d. Periodic(at least quarterly) reports of payments made from all special funds administered by the Public Health Nursln Committee will be submitted to the Board of Selectmen, detailing the amount and purpose of each payment. For privacy's sake, the names of recipients should be omitted from the report.

07.08.2010 Revision: Deep River Public Health Nursing Committee

e. An annual report will be submitted from the Public Health Nursing Committee to the Board of Selectmen detailing the accomplishments of the Public Health Nursing committee, including recommendations for change or improvement.

Fund Dispersal

a. All funds administered by the Public Health Nursing Committee will be dispersed through the town's Accounts Manager using a voucher system;

b. All funds administered by the Public Health Nursing Committee will be kept in accounts separate and distinct from all other town accounts so as not become co-mingled;

c. Payments from administered funds may be made by the Public Health Nursing Committee directly to recipients if payments are clearly related to the purpose of the fund and eligibility criteria.

d. Town administrative staff and Social Services Director may make recommendations to the Public Health Nursing Committee requesting the expenditure of funds administered by that committee. If the recommendation is accepted by the Public Health Nursing Committee, the payment will be made in an identical manner to all other payments from administered funds. (Jane's suggestion)

e. Whenever possible, payments for the purchase of goods or services should be made directly to the provider of the good/service, rather than the recipient (i.e. Fuel oil assistance should go to the oil company).

f. Any payment from funds administered by the Public Health Nursing committee for reasons not included in those specified for any fund or its eligibility criteria may be made only after review by the Board of Selectmen, and authorization to make such proposed payment is included in the minutes of the Board of Selectmen.

g. Periodic (at least quarterly) reports of payments made from all special service funds administered by the Public Health Nursing Committee will be submitted to the Board of Selectmen, detailing the amount and purpose of each payment. For privacy's sake, the names of individual recipients should be omitted from the report.

h. All special service funds administered by the Public Health Nursing Committee will be subject to the town-wide financial audit conducted annually by that firm employed by the town to conduct such audit.

Revision Dates:

7.06.2010: Dave's suggestions are incorporated in this version.
Jane Marsh was emailed the original version of the proposal for her review.

7.07.2010: Jane Marsh's review and suggestions are incorporated into this version.

7.08.2010: Jane marsh's general reactions incorporated to this final draft;
To be reviewed during BOS meeting prior to submission to Town Meeting

From: Jane Marsh <marshoffice@yahoo.com>
Subject: Review of first revision
Date: July 7, 2010 6:30:18 PM EDT
To: Arthur Thompson <arthompson136@afl.net>
Reply-To: Jane Marsh <marshoffice@yahoo.com>

Art- the Town Resolution should be internally consistent either to give the Selectmen the power to create the Nursing Committee and therefore you would use future tense "shall be" rather than "is" for all the descriptive sections OR to have the town Meeting do the creating and then tell what the Committee "is" hereby authorized to do. Pick one. Mostly you have "shall" so that's why I changed the sentence "The Public Health Nursing Committee shall be authorized to:" rather than "is".

You need to say how often the Selectmen expect officers to be elected within the Committee. No lifetime appointments.... I had said annually but you may feel differently.

I don't think it is wise to have the First Selectman alone making judgment calls on whether expenditures from any funds are a "good idea" even though not authorized. That will breed requests outside the rules too often. There needs to be more of a check and balance than that. It also may help the Board of Selectmen as a whole realize when modification to the rules could be beneficial.

(f) under Fund Dispersal is a repeat You said it already above

I'm not totally happy with the concept in (g) under Fund Dispersal. I think you need to maintain responsibility in one body for deciding what expenditures will be made. Certainly you could say that others could make recommendations to the Board, but allowing many people to initiate voucher funds requests could be a free-for-all. That's what we're trying to move away from to a controlled and reportable situation.

Jane Marsh
www.marshlaw.org

----- Original Message -----

From: Arthur Thompson <arthompson136@afl.net>
To: Jane Marsh <marshoffice@yahoo.com>
Cc: David Oliveria <daveoliveria@yahoo.com>
Sent: Wed, July 7, 2010 10:20:21 AM
Subject: Forgot the attachment

Thompson moved, Oliveria 2nd, that the meeting adjourn at 7:20.

APPROVED 3-0

Respectfully Submitted,
Richard H. Smith, First Selectman

RHS/jk