

**PLANNING AND ZONING COMMISSION
TOWN OF DEEP RIVER, CONNECTICUT**

Town Hall

174 Main Street

Deep River, Connecticut 06417

A **special meeting** of the *Deep River Planning and Zoning Commission* held on Thursday, May 30, 2019 at the Richard H. Smith Town Hall was called to order by Vice Chairman Ben Whelan at 7:05 p.m. Members present: David Basilone, Anthony Bolduc, Janet Edgerton, Jonathan Kastner, Jane Samuels, Ben Whelan, and Alternates Christopher Desrosiers, Alan Paradis, and D. Cristy Stroud. Absent: Bruce Edgerton. Also present: Nancy Howard (recording secretary), Selectman Duane Gates, Selectman Jim Olson, and approximately ten audience of citizens. The Vice Chair seated Alternate Chris Desrosiers for the absent member for the meeting.

The purpose of the special meeting was for the following:

- (a) Discussion of hiring a new Zoning Enforcement Agent (ZEO); Job requirements, list of job qualifications, advertisement of the position, role of the sub-committee; and
- (b) Discussion of engagement of the Planning and Zoning Commission's attorney for legal advice pertaining to the matter.

Vice Chair Whelan submitted for the record copies of emails between Commission members on the subject of the ZEO position. Vice Chair Whelan noted that in review of the Zoning Regulations the Planning and Zoning Commission is responsible for hiring a Zoning Enforcement Officer. Questions have since arisen of requirements.

Discussion took place regarding where to advertise, revising the job description, requirement of CAZEO certification, requirement of education, office hours, requirement to attend Commission meetings, having the advertisement reference the section of the Regulations for the job responsibilities, and determination if the position is salary or hourly.

Cristy recommended using Indeed for advertising online. The recommendation was to create a punch list for the Subcommittee and as well, to form questions for the Commission attorney for guidance. The RiverCOG has a planner in house that can be used. Ben noted that there was also discussion about splitting the board from planning and zoning. Jonathan noted that Cathie currently works two mornings a week, does field work, and attends night meetings. Monday and Wednesday mornings are the days that the land use office is open. Ben noted that he is suggesting CME who is currently working in Essex and Clinton. Arrangements have already been made for Torrance Downes from RiverCOG to serve in the interim. Four applications have already been received. Cristy noted that if there is a conflict of interest with any current activities, a member should not be involved in the subcommittee. Jane noted the importance of the Commission seeing all resumes and the advertisement before it is posted. Jonathan noted that the First Selectman is the party with the hiring ability and not the Commission. The question was raised if the subcommittee is a committee of the Commission, which would then require meeting minutes. The Committee would be responsible for reviewing the resumes prior to forwarding them to the Commission. The consensus was that questions had to be brought to the Commission attorney prior to a Committee meeting being scheduled.

A motion was made by Tony Bolduc and seconded by Chris Desrosiers to contact the Planning and Zoning Commission attorney for the following:

- Is the Committee required to follow open meeting requirements or is interviewing excluded?
- What are the legal requirements for posting the position? The places it has to be posted and how long it has to be posted for?
- Is the search committee a subcommittee of the Planning & Zoning Commission?
- How close does the job description have to be to Section 8.1.1 and is the Commission allowed to add to the description?
- What are the requirements regarding emails? Can the Commission converse via email that way and is that valid?

- Does the search committee all have to be present since there is only five people on that committee?

And items addressed to the ZEO Search Committee are as follows:

- The committee meet only when both members of Planning and Zoning are available.
- The Commission would like to post the advertisement on Indeed, and pending attorney response regarding requirements for posting.
- The Commission would like to change the requirement that the CAZEO certificate is required.
- The hours and days should be in the job description.
- The job description will include whether it is salary or hourly.
- Reference should be made in the job description of Regulations Sections 8.1.1 to 8.2.5.
- Attendance will be required at Planning and Zoning Commission meeting.
- There should be no conflict of interest on the Search Committee.
- The Planning and Zoning Commission members would like the minutes of the Search Committee.

Action on Motion: Voted Unanimously.

Questions from Public:

Gary Clark asked who is on the Committee, and he was advised that the committee consists of the Chair and Vice Chair of the Planning & Zoning Commission, the First Selectman, Torrance Downes from River COG, and Christine Costa, Chairman of the Certification Committee of the Conn. Association of Zoning Enforcement Officials (CAZEO) and Old Saybrook ZEO. Mr. Clark asked if there is a conflict of interest for the First Selectman to be on the Committee.

Selectman Duane Gates spoke regarding the recent search committee by the Region 4 Board of Education for a new superintendent. The committee was made up of representatives from each Town, reviewed the applications, and selected top candidates to be interviewed by the Board of Education. Duane stated that the First Selectman should be on the Committee because he is in charge of the employment for the Town. The two Selectman do not have the authority. The Board of Selectman will have to vote on the selection of the ZEO.

Brett Thompson of 137 River Street noted concern regarding a conflict with the First Selectman due to his business.

Stacy Sparks of 131 Kirtland Street asked if the Committee will review all resumes and make a decision or is the Commission responsible to review the information. Tony Bolduc noted that the Commission will ultimately review the applications.

Mike DiNello of 209 Main Street asked if the office hours would change.

Ron Larsen of 537 Winthrop Road asked if there is a contracting firm that will be speaking with the committee. Ben noted that the individual from CME did offer to speak with the Commission. Discussion continued on the company as an alternative to establish what is best for the Commission and the Town. Commission members discussed inviting the representative to a meeting of the Commission for a presentation. Selectmen Gates and Olson were in agreement to obtain as much information as possible.

A motion was made by Jane Samuels and seconded by Chris Desrosiers to have Ben Whelan contact CME for information and to make a presentation to the Commission, possibly as early as the next regular meeting. Voted Unanimously.

A motion was made by Tony Bolduc and seconded by Chris Desrosiers to adjourn at 9:15 p.m. Voted Unanimously.

Respectfully submitted,
Nancy Howard
Recording Secretary