

I. TIME AND PLACE OF MEETING

Ms. Menard called the meeting to order Tuesday, May 4, 2010, at 7:01 p.m. at the East Windsor Town Hall

II. ATTENDANCE

Denise Menard, First Selectman
Mark Simmons, Deputy First Selectman
Gilbert Hayes, Selectman
Richard Pippin, Jr., Selectman
John Burnham, Selectman

III. ADDED AGENDA ITEMS

MOTION: To add New Business Item C – Resolution regarding unclaimed property / State of Connecticut

Made by Mr. Burnham, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED.

IV. PREVIOUS MINUTES

A. Approval of Regular Meeting Minutes of April 20, 2010

MOTION: To postpone approval of the regular meeting minutes of April 20, 2010 to the next meeting.

Made by Mr. Hayes, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

V. PUBLIC PARTICIPATION

Ben Alaimo, 156-160 North Road – came before the Board to discuss his recent history of faxes and emails with the Assessors office on items including his 2008 income expenses, the Assessor's absence from the office, his March 22 tax appeal application and specific components of his assessment.

He detailed the March 11 increase to his assessment due to a penalty for the Assessor's office not receiving the income and expense data. He detailed that that the penalty on his assessment = approximately \$600 in penalty.

He noted difficulties with emailing his tax appeal March 22. He only argued at his hearing the penalty and did not know other issues were present, including an incorrectly added fourth building, which has been corrected and a fence installed by his tenant for \$2,000. He noted the fence is valued at \$26,290 and at that rate the fence per foot is at \$104 to \$139 per foot for chain link fence. He followed up that he has contacted the Assessors office and has been referred to the Marshal Valuation book for how the value was determined.

He noted he has contacted the Assessor and Tax Collectors in response to emails and phone calls regarding the fence. The Assessor has stated he is harassing the Assessor and Tax Collector. It is not his intention to harass anyone, only to get an answer.

Town of East Windsor
Board of Selectmen
Meeting Agenda
May 4, 2010

He further noted, that during the appeal process – three weeks ago – the Assessor socialized with the board members and the Board is supposed to be neutral party and he felt it was unfair to socialize and in fact, it's inappropriate.

The office has made numerous mistakes and admitted to some of those. Their mistakes are human errors and his only mistake is he did not check their mistakes. He has contacted other residents who are not aware of tax penalty as the letter states only that the property value reassessed and it does not state it's a penalty. He and others thought it was a reassessment and did not realize it was due to 10% penalty for missing items that he (and they) sent that was not received by the office.

He felt it is very upsetting how he has been treated by Assessor's Office.

Ms. Menard noted she has spoken with all involved and it is being handled, noting some of the facts in Mr. Alaimo's statement might be skewed. (For example, the fence figure of \$26,000 is replacement value and the assessed value is \$13,000.) She noted she is in contact with the parties reach a resolution of the issues. She also noted that Mr. Alaimo had contacted Senator Lebeau.

VI. COMMUNICATIONS – the following were for the Board's information.
A. Invitation from Police Department/ Police Awards

VII. SELECTMEN'S REPORTS

A. Denise Menard, First Selectman

- She recently went to training on grant writing and has a lot of useful information to share with any who need it;
- She distributed the Amended Special Workshop agenda for the Board of Finance.
- Regarding employees attending workshops, she wants clarification for record as employees are asking if they can attend workshops that are useful and require nominal fees. Ms. Menard has relayed the board's intent that if a workshop/seminar does not go toward certification then it is not a necessity and therefore should not be funded. Ms. Menard wanted confirmation of her understanding that the Selectmen only wanted funding of workshops that related to certification at this point because at end of year going to every single line to make up difference in loss of revenue. The request she was referring to was for a "useful" workshop but it's not for certification. It was the consensus of the board that the intent was only approval for those seminars/workshops that go toward certification citing the critical budget times. This was stated clearly for the record, such requests are funded if the seminar/workshop is for certification only.
- Ms. Menard thanked Mr. Simmons for filling in at town meeting.

B. Mark Simmons, Deputy First Selectman

- PZC – farm regulations discussions continue;
- EDC – looking to improve business friendly attitude and have workshops with local businesses and he detailed the upcoming events in that realm.
- Veterans' Commission – they have been discussing the upcoming Memorial Day Services. They are sending money for the Vietnam Wall and are still looking for donations and volunteers. The event will take place in May, 2011.

Town of East Windsor
Board of Selectmen
Meeting Agenda
May 4, 2010

C. John L. Burnham, Selectman

- April 14 citizens hour was productive and informative – people were engaging and seeking information;
- Scout hall game day went well and it will happen once a month at no cost and its good fun. Work day was successful with over 100 volunteers. On May 1 they planted five trees a project that included Selectmen help. There is talk of looking for a generator to make scout hall into an emergency shelter.
- Police Commission meeting was business as usual per the commission members as it was the same night as community conversation.
- American river meeting was business as usual. The monthly trip was to Osborn bridge (Omelia Road) upstream to the power lines for trail clearing and marking. May 2 canoes are in river to do clean up on the river. Ms. Menard mentioned some of the benches placed and concerns with their precarious positioning. Mr. Burnham will look into those.
- April 26 public hearing on budget the Chairman's presentation was good. It was a good turn out with 36 citizens speaking. He wanted to know what the Board can do to encourage people to vote, and discussion ensued with what neutral things the Board members could do.
- He would like to see Advisory questions on the ballot. He noted other towns that have done it.
- ZBA – elected officers and approved one application

D. Gilbert R. Hayes, Selectman

- East Windsor Educational Foundation – Spring grants teachers put in for – five applied and four of them approved. He noted the granted applications included partial funding for Jacqueline Corecelli to plan trip to India.
- BOE - May 6 there will be a presentation for school accreditation at the high school.

E. Richard P. Pippin, Jr., Selectman

- WPCA was the same night as town meeting – lawsuits over the sewer service area are going away and the parties are content. Connection hearings were held. They locked into rate for electrical at good rate. A new superintendent appointed, whose name was unknown at this point, but it will be provided in the future.

VIII. BOARD AND COMMISSION RESIGNATIONS & APPOINTMENTS

A. Resignations: Joanne Drapeau from the American Heritage River Commission

MOTION: To accept, with regret, the resignation of Joanne Drapeau from the American Heritage River Commission.

Made by Mr. Burnham, seconded by Mr. Pippin

ALL MEMBERS IN FAVOR. MOTION CARRIED.

B. Re-Appointments: None

C. New Appointments: Janice Warren (U) to the Conservation Commission for a term expiring April 20, 2012

Unaffiliated and there are three vacancies

MOTION: To appoint Janice Warren to the Conservation Commission as a regular member for a term expiring April 20, 2012.

Town of East Windsor
Board of Selectmen
Meeting Agenda
May 4, 2010

Made by Mr. Simmons, Seconded by Mr. Pippin

Discussion – Mr. Burnham was uncomfortable with appointments if, in general, he does not know an applicant and there are no personal references noted on the form. Laurie Whitten spoke regarding her knowledge of Ms. Warren and her past service in a volunteer capacity for the NRCP as well as Inland Wetlands. It was noted her phone number is on the applicant and Mr. Burnham noted he could call in the future for applicants he does not know to get information.

ALL MEMBERS IN FAVOR. MOTION CARRIED

D. Board and Commission Current Vacancies (Attached)

IX. NEW BUSINESS

A. W. Raber and T. Szymanski representing the Athletic Club – proposal for a walking trail at the Middle School

William Raber and Ted Szymanski came before the Board and provided the Board details regarding two proposed walking trails – one at the middle school and another on the Reservoir Road property.

They met with the school board and those plans constitute a one mile walking trail around the perimeter of the middle school grounds, marked at every 10th mile. They discussed the length of the middle school trail; the research they did at towns with similar a set up and the concept of installing 5 to 15 work out stations. For construction of stations it was thought to have Scouts do this as an Eagle project and/or students at high school have to do community service. It is the hope that the trail and its stations can be worked into the fitness curriculum. The trail and stations will be constructed so as not to overburden town staff for maintenance.

The 2nd trail on Reservoir Road will mirror somewhat the S. Windsor Neiderwerfer Road natural trail, bird sanctuary. It will be more for scenery. The location of the trail in relation to the current Reichle farming operation was discussed. It was suggested that posts be put in at the start of the trail to deter vehicles from using the trail. This will provide many opportunities for residents and it can be used in relation to the proposed dog park and BMX skateboard park. The trail will be natural.

Both projects are funded entirely by Athletic Clubs – the only part funded would be if an organization/sponsor wants to put in a station they can fund it. No cost to school system or town.

Mr. Raber has heard concerns regarding insurance question if someone gets hurt on trail. Ms. Menard can research that, but she noted she recently researched the insurance liability question as it pertained to the dog park and BMX bike and it was noted it was not an issue and premiums are not expected to be raised.

The Board discussed who the Athletic Club should meet with to discuss these trails as they have spoken to the Board of Education and Parks and Recreation. It was thought the inland wetlands should be contacted and it was also suggested that they talk to Reichle Farms as well as they have a farming operation close by, one that may expand.

They agreed they will talk with Glen Reichle and touch base with Laurie Whitten. There are no plans for sanitary stations.

It was noted that if the Town moves forward with something on this land that the Athletic Club position is a subordinate position and the Town has ownership.

Town of East Windsor
Board of Selectmen
Meeting Agenda
May 4, 2010

They also noted the Athletic Club golf tournament is June 27.

B. Approval of Tax Refunds

MOTION: To approve the tax refunds in the amount of \$6,203.15 as recommended by the Tax Collector.

Made by Mr. Simmons, seconded by Mr. Hayes

Discussion: The tax collector noted what these refunds constitute and that by state statute they have to come before the board.

ALL MEMBERS IN FAVOR. MOTION CARRIED

C. Resolution regarding unclaimed property / State of Connecticut

Ms. Lee, Tax Collector came before the Board and noted her recent find on the CT Big List for unclaimed monies for the Town of East Windsor. While she does not know how much the funds unclaimed are she needs the board's approval to submit for the funds. She also advised the Board of Education and the Ambulance Association they have items to claim for those organizations on the Big List.

MOTION: To authorize the First Selectman, Denise Menard, to act on behalf of the Town of East Windsor to sign any documents or statements required by the State of Connecticut to any unclaimed property.

Made by Mr. Hayes, seconded by Mr. Simmons

Discussion – The Board complimented Ms. Lee on her efforts on behalf of the Town of East Windsor.

ALL MEMBERS IN FAVOR. MOTION CARRIED.

MOTION: To take Section XI, Item 11A, out of order

Made by Simmons, seconded by Burnham

ALL MEMBERS IN FAVOR. MOTION CARRIED.

. XI Budget Matters, Item A. Discussion of possible revenue generating recommendations - R Stanley

Rand Stanley, Building Inspector, came before the Board and distributed his 4/26/2010 revenue history. The board also reviewed other documents regarding generating revenue, as well as comparisons to surrounding towns regarding rates and fees charged.

Mr. Stanley had good news and noted his department surpassed projections he gave the Board last year. Revenues come in for next two months are past the budget given. He came into office in July, 2001 and provided the board with figures regarding total revenue, approved budget and net revenue and what that construction has done for the community over time.

The Board had lengthy discussion on the items suggested, the expected future building and the current economic conditions. Mr. Stanley noted after comparisons with other communities he felt the department was very in line with other communities based on his comparisons, so the suggestions may not be of merit. Rand Stanley pulled this together initially as a means to get everyone thinking. Last time fees were raised methodically and they have not been raised in 15 / 16 years. They were raised at the start of

Town of East Windsor
Board of Selectmen
Meeting Agenda
May 4, 2010

the building boom and weren't excessive then and based on what happening now he does not feel they are under charging and the town is generating revenue.

Many times he referred to the appropriate Connecticut Statutes that allow for fines. Also discussion of Fire Marshal fees took place. It was noted it is difficult to encourage business and then have the fire marshal coming in for inspection with fee – are they being business friendly by instituting a fire marshal fee. Fire marshals have no jurisdiction for one or two family residence or town houses – they are used for commercial/industrial. It was thought not to be a good idea at this time to institute fire marshal fees as the Board does not want to discourage business. Ms. Menard will talk with the Fire Marshals to see what their thoughts are and if it would negatively effect business or it would be a benign action.

The Board focused on the concept of double fees applied for work started before permit issued and re-inspection fees.

If someone does work and does not come in for permit the Building inspector was not opposed to a local ordinance for nominal fine for work started without permit. The Board asked Mr. Stanley to research surrounding communities for thoughts and actions regarding work done but not permit obtained. Mr. Stanley will get Ms. Menard the statutes that relate to that and Ms. Menard will get the information from CCM and she will bring the Building office the information gathered for his office to sort through.

The Board also discussed Reinspection fees for instances where the Building Inspector has to reinspect the same items again and again as the work may not be on schedule with inspections or the party is noncompliant with his guidelines. In some instances it happens with same builder or individuals often. Mr. Stanley mentioned that this was something that could be discussed and may correct some past behaviors. The Board discussed concerns with the average person making a mistake. Mr. Burnham liked the one warning per year – one “do over” per year (i.e. a Mulligan). The Board reiterated it was discussing the instances where building inspector says specifics have to be done, and the permittee does not do the required work. Mr. Stanley reminded the Board that the town holds the certificate of occupancy which is important for insurance or mortgage – tools used in office to seek compliance is a caveat to deed so any refinancing done – effective tool. If fee attached would it help – “reinspection fee” general – should be specific reinspection for noncompliance.

Mr. Stanley again referenced history of revenue generation in excess of budget, but warned on the horizon is the conclusion of development, unless another development with revenue stream, this next year may feel revenue decline.

Mr. Burnham inquired if the Board of Selectmen set policy by ordinance and board approves fees recommended? Mr. Stanley read from the statute of fees that he as building inspector can set fees and noted while he may have the right to do it, but he never would do so without the Board's approval.

The Board discussed the percentage of people this fine would apply to and it appeared to be relatively low. Mr. Stanley noted once these items were in place initially you may see some fines, but the word would get around and it would decrease. The scenarios of noncompliance and/or work started without a permit were discussed at length. There was talk of doing a six month amnesty effective January 1, 2011 on work started without permits – come in and get permits, after that date will be double fee if you done something without permits. There was discussion on concerns regarding the Inspector going back ex post facto – if started project prior to ordinance in.

Town of East Windsor
Board of Selectmen
Meeting Agenda
May 4, 2010

It was noted roofers, window and siding are the problems – pools probably dollar to time most expensive permit – he has been to pool distributors and gives information annually as to what is to be given to home owner. Pools are frequent especially in Spring time after first hot day.

Laurie Whitten, Town Planner contributed that she felt consideration for an ordinance delineating fines for work started before permit issued should be considered. She detailed the extra work involved for the office in such scenarios. Mr. Stanley will also bring the Selectmen some information on comparisons with communities on what they do for situations of work done without a permit.

**MOTION: To go out of order to Executive Session Item B, Pursuant to C.G.S. Section 1-200 (6)
(a) - Personnel Matters at 8:55 p.m. to include the Board of Selectmen only, then joined
by Joanne Slater at 9:20 p.m.**

Made by Mr. Pippin, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED.

MOTION: To come out of Executive Session at 9:51 p.m.

Made by Simmons, seconded by Mr. Burnham

ALL MEMBERS IN FAVOR. MOTION CARRIED

ACTION: None

X. UNFINISHED BUSINESS

A. Discussion of current Property Maintenance Code/ possible Blight Ordinance

Ms. Menard noted this item has been on the agenda for awhile and taxpayers have asked about the Code but the Code has a provision for a maintenance code enforcement officer and that post has not been successfully filled by a volunteer. The current Code is cumbersome document. The State has enabled Towns to enact blight ordinances and examples of ordinances were provided to the Board. The Board will review these and this will be on the next agenda. Ms. Menard will get the Board the Property Maintenance Code.

XI. BUDGET MATTERS

A. Discussion of possible revenue generating recommendations - R Stanley – *ADDRESS
OUT OF ORDER ABOVE*

B. Updates on 2010-2011 Budget

If budget does not pass on May 11, 2010 the Board might want to have a meeting to maybe make some recommendations to BOF. The timeline to do so is very short. Board of Selectmen could have a special meeting on the 11th after the referendum in Ms. Menard's office. It was noted the BOF will have a very difficult job if the referendum fails and the Board's intent is to provide some recommendations and assistance for a tough job if the referendum does not pass. Ms. Menard noted that the Board can put together suggestions ahead of time to assist the Board, but Boards of Finance have reacted to cuts differently historically. The Board wants to show the Board of Finance support.

The board will schedule a Special Meeting on May 11, 2010 at 8:15 p.m. (or conclusion of referendum count) at Town Hall to discuss the referendum results.

The ability to conduct an exit poll and the parameters of where that can take place were discussed. Ms. Menard will talk to Coventry and Somers to determine what they did.

Town of East Windsor
Board of Selectmen
Meeting Agenda
May 4, 2010

XII. EXECUTIVE SESSION

A. Pursuant to C.G.S. Section 1-200 (6) – Contracts

MOTION To enter into Executive Session pursuant to C.G.S. Section 1-200(6) Contracts to include the Board of Selectmen only at 10:10 p.m.

Made by Mr. Burnham, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

MOTION: To come out of Executive Session at 10:48 p.m.

Made by Mr. Hayes, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED

No action taken

B. Pursuant to C.G.S. Section 1-200 (6) (a) - Personnel Matters – *addressed out of order above.*

XIII. ADJOURNMENT

MOTION: To adjourn at 10:49 p.m.

Made by Mr. Pippin, seconded by Mr. Burnhan

ALL MEMBERS IN FAVOR. MOTION CARRIED

Respectfully Submitted,

Cynthia D. Croxford
Recording Secretary

*Starred items will not be discussed, but will remain on agenda pending receipt of additional information.