

**Board of Selectmen  
Town of East Windsor  
11 Rye Street  
East Windsor, CT**

**MINUTES OF REGULAR MEETING,  
January 18, 2011 at 7:00 p.m.**

These minutes are not official until approved at a subsequent meeting.

Members Present: Denise Menard, Mark Simmons, John L. Burnham, Gilbert Hayes, and Richard P. Pippin, Jr.  
Members Absent: None  
Others: Kathleen Pippin, Marie DeSousa, Mark Lucia, Blaine Simpkins, Sr., Chief David Lockwood, Assistant Chief Thomas Arcari, Assistant Chief Harry Daniel, Kathreen Sibol, and others  
Press: K. Loucks (Journal Inquirer) and L. Smith (Patch.com)

**I. Call to Order**

First Selectwoman Denise Menard called the Regular Meeting to Order at 7:02 p.m., in the East Windsor Town Hall.

**II. Attendance**

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

**III. Approval of Minutes**

**Minutes of January 4, 2011 Regular Meeting**

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the minutes of January 4, 2011 Regular Meeting, as presented.

Board Recessed at 7:06 p.m.  
Board Reconvened at 7:10 p.m.

**IV. Public Participation**

None.

**V. Communications****a. EW Human Services Holiday Program Thank-you**

Ms. Menard indicated to the Board Members that in their packets is a letter from the Ms. Elizabeth Burns, Human Services Director of the Town of East Windsor dated December 31, 2010. Ms. Menard read from the letter thanking the Town of East Windsor Citizens and Employees for their generosity in being part of the 2010 Holiday Season through the Department of Human Services for the Town of East Windsor.

**b. Note of Presentation from BlumShapario Consulting at the January 19, 2010 Board of Finance Meeting**

Ms. Menard commented that Ms. Leslie Zoll, Manager from BlumShapiro Consulting will be discussing an overview of the entire Audit at the next regular Board of Finance Meeting. The meeting is scheduled for Wednesday, January 19, 2010 at 7:30 p.m. Ms. Menard hopes that all members of the Board of Selectmen will attend that meeting.

**VI. Selectmen's Reports****a. Denise Menard, First Selectwoman**

Ms. Menard gave to all Board Members a copy of her report for their review. She commented that title has officially transferred to STR Holdings, Inc. on the former mushroom company building at 96 Newberry Road. Their architects have been in touch with planning and building personnel.

She remarked that the next step in the paperwork for the Small Cities Block Grant for the Park Hill Project has been received. Becky will be working with Karen Boutin and Jennifer DeMauro on getting that paperwork completed.

As mentioned previously in the meeting, the Town's auditor will be presenting their management letter to the Board of Finance on January 19, 2011. This is the part of the audit process where the auditors make recommendations on ways of improving our processes.

The Planner and Ms. Menard had a conference call with representatives from Hamilton Sunstrand, the State Department of Environmental Protection, the US Environmental Protection Agency and XDD, the company in charge of planning and implementing cleanup of the Millbrook site. If their schedule follows their plan, cleanup of the Millbrook site should begin sometime during Spring/Summer of this year.

Mr. Len Norton and Ms. Menard have each separately received phone calls from the State Office of Policy and Management on the \$600,000 grant the Town is in line to receive for improvements to the industrial park roads. However, an official letter had not yet been received.

Ms. Menard indicated in February a new heavy trash pickup for a fee will begin. Also, the Town should be in line to add an electronic recycling drop off option in February but that hinges on the DEP certifying the companies that can take the electronic waste. The DEP mandates that certified recyclers be used; however, none have yet to be certified.

She mentioned future events in the Town. On January 20, 2010 at 5:30 p.m. Grand Opening of Elaine's Coffee Shop, January 22, 2010 at 1:00 p.m. the Panther Plunge was scheduled; however, due to the weather conditions, it has been rescheduled until March 5, 2011. She also mentioned EDC Business event scheduled for January 27, 2011 at 5:30 p.m. and January 31, 2011 at 6:30 p.m. the Citizen's Hour at Park Hill.

**b. Mark Simmons, Deputy First Selectmen**

Mr. Simmons indicated the Parks and Recreation Department Panther Plunge has been rescheduled to March 5, 2011 at 1:00 p.m. due to all of the snow and ice. The BMX Commission has been scheduling fundraising events in the near future, such as butterbraid sales, chocolate wine fest, and rubber duck race.

Mr. Simmons wanted to thank Ms. Menard for attending the Annual Horse Thieves Event which was held.

Mr. Simmons also mentioned the Economic Development Commission annual meet and greet event at LaNotte Restaurant which also presents awards to new and old businesses in the Town. The date is January 27, 2011. Town Officials and businessmen from the Town are encouraged to attend.

He also indicated East Windsor Community Conversation will take place on February 2, 2011 at 7:00 p.m. This is a monthly event which is scheduled every first Wednesday of the month. The event takes place at East Windsor High School and is open to the public.

Mr. Simmons commented on the Veteran's Commission which did not meet in January. He did mention the Traveling Vietnam Veterans Memorial and Museum which will be on display at East Windsor Park and Pavilion, Reservoir Road from May 19 through May 22, 2011. The Veteran's Commission is currently looking for sponsors for the event. Sponsors can donate from \$25.00 to \$1,000.

He indicated the Planning and Zoning Commission hosted a public hearing on January 11, 2011 to discuss farm regulations. This hearing was very informative. There will be another public hearing in the near future to discuss the regulations further. He also mentioned that SJK Properties have been approved for the subdivision on Depot Street. The project is to be completed in eight phases.

**c. John L. Burnham, Selectmen**

Mr. Burnham commented on the public hearing which was held on January 10, 2011. It was not well attended and only seven people spoke. He did comment on one of the speakers, Mr. Ron Rolcutt who said that East Windsor was a nice place to live and the Town should be happy with what they have.

Mr. Burnham also commented about the Planning and Zoning public hearing regarding the farm regulations. He thought it was very informative.

Mr. Burnham indicated the Police Commission meeting was cancelled due to the snow storm.

Mr. Burnham mentioned the Scout Hall alarm which went off sometime last week. He wanted to thank WPCA for responding to the alarm.

**d. Gilbert Hayes, Selectmen**

Mr. Hayes commented that the Board of Education Roundtable meeting was cancelled and has been rescheduled for January 19, 2011. Three candidates are being interviewed for the Superintendent's position.

Mr. Hayes also mentioned the Traveling Vietnam Veterans Memorial and Museum which will be on display at East Windsor Park and Pavilion, Reservoir Road from May 19 through May 22, 2011.

**e. Richard P. Pippin, Selectmen**

Mr. Pippin indicated he attended the Wetlands Workshop meeting which was held on January 5, 2011. A speaker was there talking about wetland regulations. It was indicated it is difficult to regulate due to the wild life by state statute. The state statutes and town regulations are very different.

Mr. Pippin commented that he has heard from different citizens of the Town that the Public Works did a great job cleaning up the streets and roads during the last snow storm.

**VII. Board and Commission Resignations and Appointments****a. Resignations: None****b. Re-Appointments:****1. East Windsor Historical Preservation Commission  
Paul Scannell (D) and Barbara Smigiel (U) to serve as a  
Regular Member term expiring 02/01/2015.**

It was **MOVED** (Pippin) and **SECONDED** (Hayes) and **PASSED** (U) that the Board of Selectmen approves the re-appointment of Paul Scannell (D) and Barbara Smigiel (U) to serve a term to expire February 1, 2015 as regular members.

**c. New Appointments:****East Windsor Historical Preservation Commission  
Scott Morgan, (R) as an alternate member to serve a term expiring  
December 2, 2014**

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the appointment of Scott Morgan, (R) as an alternate member to serve a term expiring December 2, 2014.

**Water Pollution Control Authority  
Martha Paluch, (R) as an alternate member to serve a term to expire  
December 1, 2014**

It was **MOVED** (Pippin) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen approves the appointment of Martha Paluch, (R) as an alternate member to serve a term to expire February 1, 2014.

**Zoning Board of Appeals  
Lorretta Christine Wentworth, (R) as an alternate member to serve a  
term expiring November 22, 2011.**

Mr. Simmons entertained a motion to approve the appointment of Ms. Wentworth and it was seconded by Mr. Burnham. A discussion was held regarding the length of the term and when it would expire. Mr. Simmons then withdrew his motion. It was agreed upon by all Board Members that this appointment should be tabled until the next meeting so the term dates could be confirmed and this appointment will be revisited at that time.

**c. Board and Commission Current Vacancy List**

The list was given to all the Board Members for their review. A brief discussion was held regarding the list and how the list is maintained.

**VIII. New Business**

**a. Appointment of Blaine Simpkins, Jr. as Fire Investigator**

Ms. Menard introduced to the Board Mr. Blaine Simpkins, Sr. to discuss the appointment of Mr. Blaine Simpkins, Jr., as Fire Investigator. Mr. Simpkins indicated that this appointment will be of no cost to the Town. Mr. Blaine Simpkins, Jr. is pursuing a career in fire fighting. He has successfully completed the program for Fire Investigator administered by the State of Connecticut Department of Public Safety in November, 2010. The fire investigator will assist the Fire Marshall's Office when investigating a fire.

A brief discussion was held.

It was **MOVED** (Pippin) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen approves the appointment of Blaine Simpkins, Jr. as a fire investigator to serve a term expiring January 27, 2013.

**b. Presentation from VFIS regarding the Fire Fighters Annuity**

Ms. Menard introduced to the Board Fire Chief David Lockwood (BBFD), Assistant Chief Thomas Arcari (BBFD), Assistant Chief Harry Daniel (WHPFD), and Ms. Kathreen Sibol, Assistant Manager of Glatfelter Insurance Group, to discuss the Fire Fighters Annuity. Ms. Menard indicated she has asked for this presentation so the Board can understand exactly how this program works. It has recently come to her attention; this program has been underfunded for years. The Volunteer Incentive Committee have been notified of the discussion this evening and have been invited to come to the meeting to hear the presentation of Ms. Kathreen Sibol.

Mr. Richard Pippin reclude himself from the discussion indicating he is a recipient of the plan.

Ms. Kathreen Sibol introduced herself and began explaining the Fire Fighters Annuity. She indicated that VFIS is the administrator of the annuity. The plan is approximately twenty years old. It is budgeted as a single line item in the amount of \$30,000 which represents payments for two fire departments, Warehouse Point and Broad Brook. It is a fifty-fifty split. Ms. Sibol described the plan and what it provides. She indicated the under the program at age 60 benefits are awarded monthly for the rest of the life of the fire fighter, with a minimum paid of ten years. Entitlement age is regardless if the

status is active or not, as long as the participant has been vested after 10 years of service. She began discussing the formula of the plan indicating that \$5.00 each year of service and a point system is in place to earn the \$5.00 per month. She also discussed the death benefit in the amount of \$10,000 and an additional disability benefit.

She began explaining the invoice which is broken down in three different lines; life insurance premiums, administration fees, and investment deposit. A discussion was held among the Board Members and Ms. Sibol regarding the administration fees and how those fees are broken down. It was ascertained that the fee is approximately \$800 per year plus \$8.00 per participant.

A discussion began regarding the recommended investment deposit. Ms. Sibol indicated the actuaries certified the plan at a higher rate. They stated interest assumptions used in the calculations are three items: liability, specifications, and assumptions. Interest assumptions on the deposit are different with each fire department, Warehouse Point is using a 5.5% and Broad Brook is using 6%. However, the return in both from The Hartford is approximately 4.25%. Using those figures, there is an actuary loss and therefore costs go slightly higher. Ms. Sibol indicated the impact on Broad Brook and Warehouse Point Fire Departments is a balance has not been paid since 2004 and the fund is not going as quickly as it should.

A lengthy discussion was held among Ms. Menard, Mr. Burnham, and Ms. Sibol regarding the outstanding balance and the actuaries' assumptions.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (3-0)(R. Pippin abstained) that the Board of Selectmen recommends forwarding VFIS Program questions to the Volunteer Incentive Committee to review the program and to have both fire departments have the same interest assumptions.

Board Recessed at 9:15 p.m.  
Board Reconvened at 9:27 p.m.

### **c. Discussion of Inclement Weather Policy**

Ms. Menard indicated that after the last big snow storm, it came to her attention that East Windsor did not have an Inclement Weather Policy to be followed in the event of Town Office closure, delayed opening or early dismissal due to weather events, natural disasters, or a declared state of emergency. She gave to all Board Members for their review a document entitled "Draft Inclement Weather Policy" dated January, 2011. She indicated if the Governor closes the State Offices, then the Town of East Windsor will close their offices as well. She read the policy to the Board Members. The policy included delayed openings, notification, and early dismissal.

Notification of closure, delay or early dismissal will be reported to television and radio stations, at least on WFSB Channel 3.

Employees are expected to be at work on time during regularly scheduled work hours and if something unusual occur on the way to work, employees are expected to notify their supervisor as soon as possible. Also employees that are not scheduled to work and/or have left work prior to an early dismissal due to requested or scheduled vacation, personal leave, illness, etc., will be charged for their requested time off.

A discussion was held between Ms. Menard and Mr. Burnham regarding the policy and how it affects essential emergency workers.

It was **MOVED** (Simmons) and **SECONDED** (Hayes) and **PASSED** (3-1)(J. Burnham dissenting) that the Board of Selectmen approves implementing the Inclement Weather Policy, as presented, with the stipulation that part-time employees have the opportunity to make-up hours which are lost due a closure, delay or early dismissal.

**d. Tax Refunds**

Ms. Menard discussed an Application for Refund request from the Tax Collector dated January 13, 2011 wherein Ms. Samantha Lee, Tax Collector is requesting under Connecticut General Statutes Section 12-129 a refund from the Town of East Windsor in the amount of \$213.85.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the tax refunds in the amount of \$213.85 pursuant to the tax collector's request of January 13, 2011.

**X. Unfinished Business**

**a. Final Review of Removal Process from Board and Commission, in accordance with E.W. Charter, Section 7.1**

Ms. Menard discussed the Proposed Ordinance, a copy of which was given to all Board Members. She indicated the top of the draft is the actual language from the Town Charter Section 7.1 (H) Removal. She read that section. She also read from the proposed ordinance regarding the reasons in which a member can be removed. Research of similar ordinances from surrounding towns has been done and some of that language has been incorporated into the proposed ordinance.

She indicated the changes which were recommended have been completed and Mr. Simmons has given to all Board Members a chart which can explain the removal process a little easier.



A discussion was held among all Board Members regarding the proposed ordinance.

It was the general consensus that the ordinance will be sent to the Town Attorney for review, and if substantial changes are made, it will be reviewed by this Board before it goes to Town Meeting.

**b. Review of the January 10, 2011 Proposed Blight Ordinance**

Ms. Menard introduced to the Board, Mr. Mark Lucia who has been working diligently on the property maintenance ordinance. Suggestions have been made that complaints can be filed at the Town Hall; however, complaints which are done anonymously will not be entertained. Mr. Lucia gave to all Board Members a draft of the Anti-Blight Ordinance. He has done research using at least eight areas and shoreline town codes from towns similar to East Windsor. He has taken into consideration residential, commercial, and farming communities to make the ordinance fair.

A lengthy discussion was held regarding notifying the owner and/or tenant. A newspaper article was given to all Board Members which was recently in the *Journal Inquirer* regarding blight ordinance in a neighboring town and the lawsuit which was recently filed.

Mr. Burnham also had a few concerns about the blight ordinance. He had given all the Board Members a list of his concerns which were the possibility of law suits, the cost of hiring someone to enforce such ordinance, paying for the cleanup, and other issues.

The Board went through the ordinance and made some wording changes. It was agreed that Mr. Lucia will make the changes which were requested by the Board and will return with another draft at a future meeting. It was also agreed that any complaints which are made will be addressed by the Board of Selectman's office until such time this ordinance is adopted.

**c. Review of Information from the Secretary of State Office regarding Voting Districts**

Ms. Menard indicated that she as asked to contact the Secretary of State's Office to inquire what the statutory requirements are for voting districts. She indicated the Registrars of Voters are independently elected by the Voters of East Windsor so technically the Voters oversee them. There is no State Statute regulating this. Also, legislation meets every ten years to draw district lines and East Windsor is encompassed in all districts, so one district would not be enough to accommodate all voters at this time. Therefore, it would be the decision of the Registrars to change

the voting districts. Again, it was suggested changing the district from the Town Hall to one of the schools.

## **XI. Budget Matters**

### **a. Discussion of Hiring Freeze**

Ms. Menard indicated that this agenda item was asked to be placed on this agenda to discuss. As the Board knows, the Planning and Zoning just filled a part-time vacancy. Park and Recreation has one full-time staff member and one part-time staff member. The other part-time staff member has moved to another position and therefore that position is vacant. There have been a number of complaints that no one is at the Parks and Recreation office. Another vacant position is a driver for the senior center. Ms. Menard inquired with the Board what they would like to do in regards to these vacant positions. She reiterated these positions are not new positions.

A brief discussion was held. It was decided that any replacements for vacant positions should be brought to the Board of Selectmen. It was also mentioned that those requests to fill vacant positions should be absolutely necessary.

### **b. Review of Monthly Statistical Reports**

Ms. Menard gave the Board Members the Monthly Statistical Reports for gasoline, diesel, and heating oil for their review.

### **c. Budget Discussion**

Ms. Menard gave to the Board Members a report entitled "Budget by Department" dated January 10, 2011 for their review.

A brief discussion was held regarding the report.

## **XII. Executive Session Continued (pursuant to Connecticut General Statutes Section 1-200(6) (e) Pre-Litigation**

It was **MOVED** (Hayes) and **SECONDED** (Simmons) **PASSED** (U) that the Board of Selectmen enters into Executive Session to conduct a hearing and to preserve the confidentiality of records.

The Board entered into Executive Session at 11:06 p.m.

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen terminates Executive Session enters into Public Session at 11:57 p.m.

**XII. Adjournment**

It was **MOVED** (Simmons) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen adjourns the January 18, 2011 Regular Meeting at 11:58 p.m.

Respectfully Submitted,

Denise M. Piotrowicz  
Recording Secretary