

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

**MINUTES OF REGULAR MEETING,
July 19, 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, and Richard P. Pippin, Jr.
Members Absent: Gilbert Hayes
Others: Kathleen Pippin, Dale Nelson, Jason Bowsza, Marie DeSousa, Alan Baker, Dave Menard, Dick Sherman, and others
Press: L. Smith (Patch.com), K. Loucks and C. Garfman (Journal Inquirer)

I. Call to Order

First Selectwoman Denise Menard called the Regular Meeting to Order at 7:01 p.m., in the East Windsor Town Hall.

II. Attendance

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

III. Approval of Minutes

Approval of Regular Meeting Minutes of June 21, 2011

A clarification was requested in the July 5, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VIII, Subsection a, Paragraph 1 is noted. The attached amendment marked as Exhibit A is noted.

It was **MOVED** (Simmons) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the minutes of July 5, 2011 Regular Meeting, as amended.

IV. Public Participation

Mr. Dick Sherman, Chairman of the American Heritage River Commission, addressed the Board. Mr. Sherman wanted to give to the Board an annual update of the hours in which volunteers have participated in servicing and cleaning the river trails in town.

From what his records show from July 1, 2010 through July 1, 2011, a total of 667.25 hours have been volunteered. He gave the Board Members a document entitled "American Heritage River Commission July 1, 2010 to July 1, 2011" for the Board to review.

Ms. Kathleen Pippin, 37 Woolam Road, addressed the Board. She commented about Mr. Michael Ceppetelli, Chairman of the Inland Wetland Commission and Mr. Joseph Ouellette, Chairman of the Planning and Zoning Commission and the bashing that has taken place about these two members and their positions. Both men are qualified and very knowledgeable when it comes to the laws and regulations. They are very thorough in their decision making. She is astounded with the name calling and bashing that has taken place.

Mr. Jason Bowsza, 34 Rye Street, addressed the Board. He would like to echo the comments made by Ms. Pippin. Both candidates, Mr. Joseph Ouellette and Mr. Michael Ceppetelli, do an excellent job. Both Boards require expertise to fulfill its obligations. He also supports the nominations of the Capital Improvement Committee. He is a Board of Finance Member and the recent Capital Improvement Committee has worked more efficiently than it has in recent years.

Mr. Ronald Savaria, 30 Rolcott Road, addressed the Board. He is a member of the Inland Wetland Commission. He also supports the nomination of Mr. Michael Ceppetelli. He believes it is critical to have a member on the Board who will make a careful consideration on decisions due to the fact the aftermath of such decisions could leave the town open to litigation. He also brought up the fact that members and their attendance is in question; one regular member, two members are up for reappointment, and three members have a fifty percent attendance rate. Luckily, there are three alternates; however, one has resigned, one is running for a seat and the other one has lost interest. The Commission will decrease in members over the next year or so and the worst case scenario there will not be enough members to hold a meeting, if two are not reappointed and one resigns. A member with experience is very valuable for the Board along with knowledge of land use and Mr. Mike Ceppetelli has both. He wrote and read a statement to the Board of Selectmen. In summary, he indicated he understands that the Board moves very slowly, but warns if a quorum cannot be met, the process will even move slower. As the Chairman, Mr. Ceppetelli is an important asset to preserve the wetlands and is an important asset to the Board. If the Board of Selectmen has a different opinion, please let us know.

Mr. Alan Baker, 43 Spring Street, addressed the Board. He too supports the reappointment of Mr. Michael Ceppetelli for the Inland Wetlands Commission. Mr. Baker believes that Mr. Ceppetelli is professional and very well versed on the rules and regulations. He understands that some people have personal differences with Mr. Ceppetelli, but we all have to remember he is a volunteer and there is no question that he should be reappointed.

Ms. Dale Nelson, 51 Omelia Road, addressed the Board. She remarked that she has attended Board meetings and has seen personally the attacks on Ms. Laurie Whitten and others. She commented that the gentlemen know what they are doing and the town needs dedication on that Board.

Ms. Kory Loucks, reporter with the *Journal Inquirer*, addressed the Board. She wanted to say good-bye to the Board. The Town of East Windsor was the first town she was assigned to cover as a reporter for the *Journal Inquirer*. She had never worked on a daily newspaper before she began covering the Town of East Windsor. She will be continuing to work for the *Journal Inquirer* reporting for the living department of the paper. It has been an honor covering the Town of East Windsor and she wanted to introduce to the Board the new reporter who will be covering the Town of East Windsor, his name is Cornel Garfman. Deputy Selectman Mark Simmons wished Ms. Loucks well in her future endeavors and thanked her for treating the Board fairly in her reporting and appreciated her candor.

V. Communications

None.

VI. Selectmen's Reports

a. Denise Menard, First Selectwoman

Ms. Menard gave the Board a quick summary of the events of the past two weeks. She indicated she was notified on Monday from CIRMA that the Town would be receiving approximately \$22,657 from CIRMA which is a series of checks given to towns which have had good performance with CIRMA Insurance. These funds were unplanned and unexpected.

Ms. Menard also indicated the Town has received the value of the two barns that were destroyed during last winter's snow storms. The value of the two barns was approximately \$77,000. Those checks have been given to the Treasurer's office. In speaking with the Treasurer, it has been discussed that the funds can be used for a repaving project at the Annex. These funds have been placed in the general fund and the funds have not yet been assigned to any one project. Presently, the Town is receiving quotes from contractors for the repaving of the Annex and more information will be available and brought to this Board at the next meeting.

b. Mark Simmons, Deputy First Selectmen

Mr. Simmons commented about a new program the Economic Development Commission and East Windsor Chamber of Commerce have been working on. The program is a "Welcome to East Windsor" packet which will be given to

new businesses and residents. The packet will consist of materials of businesses in the Town such as business cards.

Mr. Simmons remarked about the BMX Committee which have raised approximately \$27,396 and are looking to raise an additional thousand dollars to start the paving project. Local contractors will be hired to do the paving work.

Mr. Simmons briefly spoke about a BBQ which has been scheduled for July 27, 2011 at the Trolley Museum to fund an expansion at the Trolley Museum.

He also spoke about an email he received from Ms. Laurie Whitten regarding EDC workshop regarding the Route 140 which will be taking place on September 15, 2011 at the Scout Hall. The time of the workshop has yet to be determined.

c. John L. Burnham, Selectmen

Mr. Burnham spoke about the recent Zoning Board of Appeals meeting on July 11, 2011 in which two items were discussed, one was passed and the other was denied.

Mr. Burnham commented about a recent Police Commission Meeting which he was unable to attend, but he had spoken to the Police Chief, who has made a return of monies from his budget which was not needed. He also mentioned that recently he had spoken to a citizen who had dealings with a local police officer. That citizen had very nice things to say about that police officer.

Mr. Burnham also mentioned the activities of the American River Heritage Commission. He indicated that two-thirds of the clean-up is complete up to the Route 140 bridge and highlighted what Mr. Sherman commented earlier in the meeting.

d. Gilbert Hayes, Selectmen

None report due to the fact that Mr. Hayes did not attend the meeting.

e. Richard P. Pippin, Selectmen

Mr. Pippin commented on the recent Inland Wetland Meeting, six members attend that meeting. The Wilcox application was extended and more information would be needed. Newbury Road, LLC recent application was approved with conditions and Newbury Village application required modifications.

Mr. Pippin discussed the recent Planning and Zoning Commission Meeting which was a lengthy meeting. Applications were accepted for regarding a development on Newbury Road. The application was continued and probably a vote will take place at the next meeting. Mr. Steve Farmer three lot subdivision was approved on South Water Street with conditions.

Mr. Pippin briefly spoke about the East Windsor Housing Authority. He indicated that parking spots are to be assigned to residents and there are concerns about the catch basin and who is responsible for the road and the catch basin. He also indicated that the Air Force recently has been to the properties to do projects to the apartments such as painting. CHFA has given those properties a high rating for their appearance.

VII. Board and Commission Resignations and Appointments

a. Resignations: None

b. Re-Appointments:

Inland Wetland Watercourse Agency, terms expiring 07/01/2015

- 1. Ronald Savaria (D)**
- 2. Michael Cappetelli (D)**

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the re-appointment of Ronald Savaria (D) to serve a term to expire July 1, 2015 as a regular member.

A motion was entertained by Mr. Simmons and seconded by Ms. Menard that the Board of Selectmen approves the re-appointment of Michael Cappetelli (D) to serve a term to expire July 1, 2015 as a regular member.

A discussion was held.

Ms. Menard commented that Mr. Cappetelli is the current Chairman of the Inland Wetland Commission and is needed on the Board due to all the regulatory issues that he encounters. He has to make hard decisions and at the end of the day he does what is right for the Town of East Windsor given what the regulations are even though he takes a beating from the public reiterating what Ms. Pippin commented about previously during the meeting. He keeps order at the meetings and is within the law. If he did not do his job correctly, the Town would end up in litigation and for those reasons she supports the reappointment of Mr. Cappetelli.

Mr. Burnham remarked he appreciates the public comments this evening and his vote is not based on personal agenda but on research. His vote will

be no this evening. Again, he reiterated, it is not due to any personal agenda.

Mr. Pippin commented that the Inland Wetland Commission is getting better and has in the past been very hostile. The Town regulations exceed the State standards and leave the Town open to litigation. Mr. Cappetelli is very knowledgeable; however, his vote is no too. Clients have not been dealt in a fast manner and a new captain might be beneficial to the Commission. When the staff gives the Commission advice, he does not listen to their advice.

Ms. Menard indicated that the staff has expressed that they would be concerned if he is not reappointed.

Mr. Simmons commented that he does not know Mr. Cappetelli, but knew his father very well. He would also hope that such a group would come out to meetings and defend him as they have come out this evening to defend Mr. Cappetelli. He is a volunteer and he is willing to take the heat and the issues he deals with on the Commission, emotions run high. He has been moved by the comments which were expressed this evening and due to the knowledge Mr. Cappetelli has, he would vote in favor of his reappointment.

A vote was taken:

In Favor – Denise Menard and Mark Simmons

Opposed – John Burnham and Richard Pippin

The vote was a tie.

Mr. Burnham asked what happens now to the motion. Ms. Menard commented that the motion dies. Mr. Burnham inquired if Mr. Cappetelli could reapply for appointment. An audience member, Ms. Marie DeSousa, questioned the vote indicated that both opposed votes have had communications and dealings with Mr. Cappetelli on a personal level and they should have abstained during the vote due to conflict of interest. Ms. Menard inquired if the vote was valid due to this statement that two of the opposing votes have had issues in front of Mr. Cappetelli as Chairman of the Inland Wetland Commission. Ms. Menard indicated she would do some research to see if the vote was a legal vote. Mr. Burnham commented about his personal dealings and indicated that he has had several applications over the last twenty-five years. He was asked previously why he would vote no, and he indicated because of the hostile environment. Mr. Pippin commented that he has had two applications

over the past seven years. Ms. Menard commented that she cannot force a vote and she will do research regarding this issue.

The motion failed.

Capital Improvement Planning Committee terms to expire 05/01/2015

Len Norton (U), Joseph Pelligrini (U), Kathleen Pippin (R), Richard Pippin, Jr. (R), Joseph Sauerhoefer (D), Blaine Simpkins (R), and Elzear Rodrigue (D)

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (3-0) (R. Pippin abstained) that the Board of Selectmen approves the re-appointment of Len Norton (U), Joseph Pelligrini (U), Kathleen Pippin (R), Richard Pippin, Jr. (R), Joseph Sauerhoefer (D), Blaine Simpkins (R), and Elzear Rodrigue (D) to serve a terms to expire May 1, 2015 as regular members.

c. New Appointments:

**Capital Improvement Planning Committee
Dale Nelson (D) term to expire 05/01/2012**

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the appointment of Dale Nelson (D) to serve a terms to expire May 1, 2012 as a regular member.

d. 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. Discussion of Tolland County Invoice

Ms. Menard indicated that in the Board Member's packets is an invoice from Tolland County regarding East Windsor Ambulance added paramedic services to Windsor Locks, Granby, and Suffield which is beyond normal level of services and Tolland County charges an additional \$5,500 to East Windsor Ambulance. The Chief has returned the invoice and indicated the Town should be sent the bill for services. Ms. Menard has contacted Tolland County regarding this invoice. She has been told that when someone in Granby needs a paramedic and Tolland County has to respond, Tolland County is in communication with Granby tying up Tolland County. She has reviewed the contract and a lot of discussion has been involved with this contract and the contract indicates that the Town is obligated for

communication expenses. The cost has increased and would like more specific information regarding what expenses the Town is liable for. Mr. Burnham and Mr. Simmons agreed. Mr. Pippin indicated he would object to the payment of this invoice indicating that Mr. Clynch received this invoice in 2010 and he never notified the Town in the proper manner and he was not forthcoming or honest. The date of the invoice is August 31, 2010, almost a year ago, even during the budget discussions, this issue was never raised.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the invoice of Tolland County in the amount of \$5,500 for payment.

b. Adopt Resolution for a Grant for FY 2012 for the Historic Documents Preservation Program

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that it is Resolved that Denise Menard, First Selectman, 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.

c. Tax Refunds

Ms. Menard discussed an Application for Refund request from the Tax Collector dated July 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 \$430.14.

It was **MOVED** (Simmons) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen approves the tax refunds in the amount of \$430.14 pursuant to the tax collector's request of July 13, 2011.

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen agree to move the discussion of Agenda Item XI. Executive Session Pursuant to Connecticut General Statutes Section 1-200(6) Personnel and Pre-Litigation to include the Chief of Police.

XI. Executive Session (pursuant to Connecticut General Statutes Section 1-200(6) Personnel Matter

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

The Board entered into Executive Session at 7:54 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 8:37 p.m.

IX. Unfinished Business

None.

X. Budget Matters

a. 2010-2011 Budgets

Copies given to all Board Members for their review.

b. Budget Transfers

Ms. Menard indicated that there are two transfers being requested. She gave a sheet entitled "Town of East Windsor 2010-2011 Budget Transfers" to all of the Board Members for their review.

The first transfer is being requested to Communications/Fax/Phone in the amount of \$3,050.00 from Public Safety/Pension Plan. She indicated that the reason for the transfer is due to the way of transmitting information through IT and the Town is now using Cox Communications and the line was under budgeted.

A discussion was held.

It was **MOVED** (Simmons) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen recommends to the Board of Finance the transfer of \$3,050.00 to the Communications/Fax/Phone (50/830/542) from Public Safety/Pension Plan (15/2195/203), as presented, and recommends to the Board of Finance, and recommend to a town meeting if necessary.

The next transfer discussed was Planning Professional Services (2011-2012) in the amount of \$9,000 from Planning Professional Services (2010-2011). This was approved project from last year, but due to the time it takes for a request for proposals, the project will be moved until the new fiscal year. The monies were approved by the Board of Finance and a meeting in September is scheduled for the planning workshop. Mr. Simmons indicated he has received an email regarding this transfer and read said email. That email is attached hereto and marked as Exhibit B. Mr. Simmons has reiterated this is not new money and it was already budgeted.

A brief discussion was held.

It was **MOVED** (Pippin) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen recommends to the Board of Finance the transfer of \$9,000.00 to the Planning Professional Services 2011-2012 (1124/330) from Planning Professional Services 2010-2011 (1124/330), as presented, and recommends to the Board of Finance, and recommend to a town meeting if necessary.

The last item discussed is not a transfer, but for informational purposes only. \$75,589 from CIP for chip sealing to be expended and would make the line over and than to be reimbursed by LOCIP. There is no motion in order.

XI. Executive Session (pursuant to Connecticut General Statutes Section 1-200(6) Personnel Matter (continued)

It was **MOVED** (Simmons) and **SECONDED** (Pippin) **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 8:55 p.m.

It was **MOVED** (Simmons) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen terminates Executive Session enters into Public Session at 9:33 p.m.

XII. Adjournment

It was **MOVED** (Simmons) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen adjourns the July 19, 2011 Regular Meeting at 9:34 p.m.

Respectfully Submitted,

Denise M. Piotrowicz
Recording Secretary

Exhibit A

AMENDMENT TO MINUTES OF JULY 5, 2011

For clarification purposes, an amendment to the Minutes of July 5, 2011 Section IX. Unfinished Business, Subsection a, is as follows:

Mr. Pippin reiterated that per the policy of the town, three bids would have to be received in order to make a decision on who receives the contract. He also indicated that when advertising for the contracts, it should be noted that all contractors should provide a copy of their State of Connecticut license to prove they are a licensed contractor. He did indicate that the license information can be looked-up on the State of Connecticut website. It was also discussed that the contractors should note their hourly rate, and what the material mark up would be.

Exhibit B

(7/19/2011) Jennifer Browne - for Mark Simmons

Page 1

From: Laurie Whitten <whittenl@con2inc.com>
To: <jbrowne@eastwindsorct.com>
Date: 7/19/2011 10:16 AM
Subject: for Mark Simmons

Hello Board of Selectmen Members:

I regret that I am unable to attend tonight's meeting due to previous commitment.

I hope this memo helps to explain why this item for money transfer is on your agenda.

In the last budget year 2010-11, I received final authorization to utilize unused funds from my Part Time line item for a facilitator..this occurred in June 2011. I was also able to add in some other unused funding from my existing approved budget. Ultimately, I encumbered a total of \$9,000.00 for the Route 140 Facilitator. The process to hire the facilitator included an RFP on the Planners Listserve, and review of proposals by myself and PZC members. The top 2 candidates were then interviewed by the PZC. Planimetrics was awarded the job, and a contract was signed in mid June 2011.

At this time, I have been informed that the encumbered funds must now be transferred from last years budget to this years budget. This process apparently requires BOS and BOF approval.

Please remember that _this money has been encumbered and a contract has been signed.

Currently, the schedule with the consultant includes:

July 28, 2011 - PZC meets with Planimetrics to decide on final direction of workshop

1st or 2nd week Week of Aug , 2011 - Planimetrics will be meeting with property owners along the sewer expansion area - without staff or PZC members so property owners can feel free to speak their thoughts and concerns

September 15 - SAVE THE DATE!! A Public Visioning Workshop will be held at Scout Hall

Subsequent meeting with PZC to discuss results and goal of new regulations

Final Deliverables will include a working draft of new regulations and design guidelines

I also understand that some in town are dismayed that an application for condos along Winkler Road has been submitted to Inland Wetlands, and soon PZC. This is an application that was in preliminary discussions _prior_ to the sewer extension discussions. This development is proposed on one of the three eligible lots for residential development that was disclosed and discussed during the sewer extension meetings. Despite the new sewer, this potential development may not tie into the Rte 140 sewer due to many wetlands issues.

I respectfully request that this money be transferred to this years budget so we can move on with this important project.

Thank you for your time