

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

**MINUTES OF REGULAR MEETING,
September 20, 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: Kathy Pippin, Samantha Lee, Dale Nelson, Lois Noble, Alan Baker, Marie DeSousa, Judith Rajala, Lori Gabriel, John Kaufman, Colleen White, Brenda Crockett, Eve Arre, Chris Arre, Laura Harney, and others
Press: C. Garfman (Journal Inquirer) and a reporter (Patch.com)

I. Call to Order

First Selectwoman Denise Menard called the Regular Meeting to Order at 7:05 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. Added Agenda Item

None.

IV. Approval of Minutes

A. Minutes of September 6, 2011 Special Joint Meeting

An error was noted in the September 6, 2011 Special Joint Meeting Minutes. An amendment to the minutes in Section II, Paragraph 5 is noted. The following is the noted amendment:

“...appropriate funds from the **fun** balance in the amount...”
to

“...appropriate funds from the **fund** balance in the amount...”

An error was noted in the September 6, 2011 Special Joint Meeting Minutes. An amendment to the minutes in Section II, Paragraph 5 is noted. The following is the noted amendment:

“...may waive such forfeiture if the Town appropriates to the Board...”

to

“...may waive such forfeiture if the Town does not appropriate to the Board...”

It was **MOVED** (Hayes) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the minutes of September 6, 2011 Special Joint Meeting, as amended.

B. Minutes of September 6, 2011 Regular Meeting

An error was noted in the September 6, 2011 Regular Meeting Minutes. An amendment to the minutes in Section V, Paragraph 1 is noted. The following is the noted amendment:

“Ms. Kathleen Pippin of **Wooham** Road...”

to

“Ms. Kathleen Pippin of **Woolam** Road...”

An error was noted in the September 6, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VII, Subparagraph e, Paragraph 1 is noted. The following is the noted amendment:

“...two new pumps for Mill Street and **Scanic** Road.”

To

“...two new pumps for Mill Street and **Scantic** Road.”

An error was noted in the September 6, 2011 Regular Meeting Minutes. An amendment to the minutes in Section XI, Paragraph 8 is noted. The following is the noted amendment:

“...was increased from \$10.00 to \$12.00 for **mutual** aid calls...”

to

“...was increased from \$10.00 to \$12.00 for **all** aid calls...”

It was **MOVED** (Burnham) and **SECONDED** (Hayes) and **PASSED** (U) that the Board of Selectmen approves the minutes of September 6, 2011 Regular Meeting, as amended.

V. Public Participation

Ms. Kathleen Pippin of Woolam Road, addressed the Board. She asked the First Selectwoman Denise Menard if she could give Selectman Richard Pippin a piece of paper. Ms. Menard indicated she could but then questioned what it was, as did audience member Ms. Marie DeSousa, inquiring if it was campaign materials. Ms. DeSousa commented if he was campaign materials, it needed to be put away due to the fact this meeting was a public forum.

VI. Communications**a. Jamie Masthay-Adopt a Park Update**

Ms. Menard commented to the Board Members that in their packets were copies of pictures taken of a ten year old girl and a group of her friends who participated in a clean-up day by the Scantic River. Ms. Menard wanted to share the good deeds of the children.

b. Thank you correspondence from CCM

Ms. Menard remarked about a letter dated September 8, 2011 from Connecticut Conference of Municipalities. Ms. Menard read the letter. The letter thanked Ms. Menard and the municipality for the continued membership in the CCM for fiscal year 2011-2012. Due to the support of the local governments, CCM has been able to sustain a zero percent dues increase for the past three years and able to provide members with enhanced services.

c. CCM Annual Convention (October 5, 2011)

Ms. Menard reminded the Board of the CCM Annual Convention scheduled for October 5, 2011. She indicated that her office would need to know if they will be attending or not so they can make the arrangements.

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

Ms. Menard announced to the Board that Parks and Recreation Director, Ms. Melissa Maltese has given birth on Sunday, September 18, 2011 to a baby girl, Mia rose. She was 7 lbs. 5 oz. and 20 inches long. Congratulations to her and her family!

Ms. Menard commented on the departure of Mr. Jim DeRago, Technology Manager. His last day was Friday, September 16, 2011. CREC has offered technology services to the Board of Education during the transition on an

emergency basis and the day to day needs will be shared with Mr. David Rajala, the IT Technician. In speaking about shared services, Ms. Menard indicated she has spoken with Dr. Theresa Kane, Superintendent of Schools regarding any shared services which the Board of Education and Town may share to support each other. Ms. Menard also commented that three candidates are currently being interviewed and hopefully, a new manager will be named as soon as possible.

Ms. Menard commented about the Senior Services. The new assistant to the Program Director, Roberta has started in the position. She seems excited to start the job running and helping with the day to day operations of the office.

Ms. Menard remarked about the Assessor's Office Request for Proposals for the 2012 re-evaluation. Those bids will be opened on September 29, 2011 at 4:00 p.m. at the Town Hall. Everyone is welcome to attend.

She gave a list of reminders of upcoming events in the Town which were as follows:

September 24, 2011	Bulky Waste drop off from 7:30 a.m. to 11:00 a.m.
September 29, 2011	Grand Opening of Keylynx at 5:30 p.m.
October 1, 2011	Hazard Waste drop off at South Windsor High
October 12, 2011	Citizen Hour at Town Hall from 6:00 p.m. to 7:00 p.m.
November 5, 2011	Veteran's Day Road Race

b. Mark Simmons, Deputy First Selectmen

Mr. Simmons indicated the BMX/Skateboard Park Study Committee are here this evening to discuss an item on the agenda.

Mr. Simmons discussed the Route 140 Plan Forum that took place last week. It was well attended. At the meeting, it was discussed building uses and land uses for the Route 140 corridor. During the discussion, there was some public input.

Mr. Simmons wanted to remind everyone of the golf tournament which will take place on Sunday, September 25, 2011 at 9:00 a.m. It is sponsored by the German Club. Proceeds of the tournament have been used in the past for schools and scholarships.

c. John L. Burnham, Selectmen

Mr. Burnham commented the recent meetings he has been assigned to attend. He commented that the Zoning Board of Appeals Meeting was cancelled; the Capital Improvements Projects Committee Meeting was also cancelled. He attended the end of the Police Commission Meeting on September 14, 2011.

He indicating the meeting went well. He remarked about the American Heritage River Commission is sponsoring an “open paddle” day on Saturday, October 2, 2011. The Commission had the annual wrap up party at Congamond Lake. He also attended the Four Town Parade and had a great time!

d. Gilbert Hayes, Selectmen

Mr. Hayes commented on the Four Town Parade and how the Town of East Windsor was well represented.

Mr. Hayes spoke about the East Windsor Education Foundation and how the foundation raises money for schools so teachers can do projects which are outside of the budget perimeters. The funds are granted twice a year, some projects include new textbooks. At the Golden Gavel on September 21, 2011, a wine tasting will be held and the foundation will have a station during the wine tasting to promote future fundraisers and to show the public what projects have been funded by the East Windsor Education Foundation. He invited all to attend.

e. Richard P. Pippin, Selectmen

Mr. Pippin discussed the recent Inland Wetland Commission Meeting which was held on September 7, 2011. He indicated that the Wilcox application was approved after a discussion. The meeting ran very well. The Planning and Zoning Meeting had four new applications, which included Newburry Road LLC, Newburry Village LLC, West River Farms, and Applebrook Farms. He indicated that meeting ran well also.

Mr. Pippin remarked about the East Windsor Housing Authority and the recent law change regarding a resident holding a position on the board. Ms. Menard interjected indicating the law has changed and she has advised to Karen of the East Windsor Housing Authority.

It was **MOVED** (Simmons) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen move Agenda Item No. X New Business A. Resignation of Samantha A. Lee, Tax Collector to be discussed before VIII. Board of Commission Resignations and Appointments.

X. New Business

a. Resignation of Samantha A. Lee, Tax Collector

Ms. Menard read from a letter dated September 8, 2011 from Ms. Samantha Lee submitting her resignation from her position as Tax Collector effective on

October 28, 2011. Ms. Lee indicates she is moving to Seattle, Washington to be closer to her family. She has held this position for the last two years.

Ms. Menard indicated she was so sad to see Ms. Lee leave her position; she has been a wonderful team player and has exceeded expectations in her abilities to collect the Town's taxes. She has done a great job and she will be missed. All of the Selectmen echoed Ms. Menard's comments.

It was **MOVED** (Hayes) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the resignation of Samantha A. Lee, Tax Collector effective October 28, 2011 with regret.

It was **MOVED** (Burnham) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen move Agenda Item No. IX Unfinished Business BMX/Skateboard Park Study Committee discussion to include representatives from CIRMA to be discussed before VIII. Board of Commission Resignations and Appointments.

X. Unfinished Business

BMX/Skateboard Park Study Committee Update

Ms. Menard invited members of the BMX/Skateboard Park Study Committee to the table, which were Ms. Lori Gabriel and Ms. Brenda Crockett, and introduced CIRMA representatives, Ms. Colleen White and Mr. John Kaufman. The reason for the meeting of these two groups is to discuss the construction and existence of the proposed BMX/Skateboard Park. The proposed park is in the planning stages of construction and it is the hope of the Committee the park will begin the construction as soon as possible. However, during the beginning phases of construction, questions were raised by CIRMA in regards to insuring same, which has been contradictory to what was believed by the Committee. Ms. Menard thought having an open discussion between the two groups, BMX/Skateboard Park Study Committee and CIRMA representatives would be helpful to clear up any questions either group has. Ms. Menard indicated there is a list of items which CIRMA has requested of BMX/Skateboard Park Study Committee. Ms. Gabriel indicated she has received that list and would address items on that list. Ms. Brenda Crockett gave to each of the CIRMA representatives and Selectmen a packet of materials regarding the BMX/Skateboard Park for their review. Ms. Crockett and Ms. Gabriel orally answered the questions which CIRMA had requested. The park is considered an outdoor park, it will be a BMX/Skateboard Park combination, the construction and design will be done by American Ramp Company with some input from the players of the sport. There will be three official pieces of equipment at first. Within the packet which was distributed, all of the specifics regarding the equipment, warranties, and specifications of the equipment can be reviewed.

A question regarding once the park is established, what are going to be the rules of operation, maintenance, and security of the park. Ms. Crockett indicated that answer was also outlined in her presentation. Once the park is established, it will be maintained and operated by the Parks and Recreation Department along with a sub-committee BMX/Skateboard Park. Ms. White inquired who would be the owner of the park. Ms. Crockett indicated it would be town owned and it would be located on Reservoir Road, next to the dog park. Ms. Crockett indicated the location is noted in the packet along with a list of towns which are insured by CIRMA and have a BMX/Skateboard Park. Ms. White indicated that she is aware of Skateboard Parks but not BMX. Ms. Crockett indicated she has taken a survey with the towns and some parks are named Skateboard Parks, however, bikes are allowed in the parks. The discussion continued among Ms. Crockett, Ms. Gabriel and Ms. White regarding BMX bikes and skateboards using the same parks in surrounding towns and towns which are insured through CIRMA.

Returning to the original questions CIRMA posed to the Committee, the next topic discussed was the maintenance and supervision of the park once it is constructed. Ms. Crockett again indicated it would be a combination of Parks and Recreation Department and BMX sub-committee would take on those tasks. Supervision of the park has never been discussed nor was it ever planned upon. Ms. Crockett and Ms. Gabriel commented that it was thought that the park would be an open for all to use and welcoming. It was questioned that other town parks were not gated and why would this park have to be gated or supervised as other parks in town are not. During the discussion, Mr. Hayes indicated the group who use the park would be the supervision, and at other parks he has driven by, he has never seen guards overseeing the activities.

The discussion continued regarding the towns and/or cities in which CIRMA insures and have a BMX/Skateboard Park, forty-seven out of seventy parks are insured through CIRMA. Again, it was questioned why those parks only had "skateboard" in their name and "BMX" was not listed. Mr. Kaufman addressed the concerns he had regarding the skateboard/BMX park. He indicated supervision of the park was a concern and control of access to the park especially during winter months when snow and ice is an issue. He also questioned maintenance of the park during the winter months. Managing the children who use the park was also a concern he had. What type of plan does the BMX/Skateboard Park Study Committee have in place? He gave of a hypothetical instance where the park opens and twenty-five years have gone by and no problems arise, until a serious accident does happen. Questions regarding liability and ownership will be raised. He wonders how the Town and/or Committee plan on such a situation. The discussion continued with Ms. Crockett and Ms. Gabriel trying to explain to everyone how these types of park work and how they are managed within the users of the park. Everyone

using the parks supports each other and watches out for each other. The question regarding to control of the park was also discussed at length. Mr. Kaufman indicated every attorney will have a different opinion regarding the control issue; however, it would be recommended to have rules posted, times the park will be opened posted, and being able to control the access to the park either by fence or gates. Maintenance of the park again was discussed and who would be responsible for such maintenance. It was suggested that the Parks and Recreation and Public Works Departments would share in the maintenance, however, that has not been discussed with either department. It was suggested that the BMX/Skateboard Park Study Committee, Parks and Recreation, and Public Works needs to meet and discuss this topic. Mr. Kaufman commented on the construction of the park and indicated that CIRMA would review any contracts they had from contractors regarding the construction to let the Committee know any concerns CIRMA would have regarding the contract.

The discussion continued when eventually it was asked when CIRMA would have an answer regarding the construction of the park and if it would insure same. Ms. White indicated she would have to review all of the materials given to her this evening and would get back to the Town with any more concerns. At this point, she could not give a yes or no answer. Audience members began asking questions requesting a time line the insurance company had. Again, Ms. White could not commit to any type of time line. Ms. Jennifer Ragaglia, who is a member of the BMX/Skateboard Park Study Committee, addressed the Board. She also wanted a timeline as to when CIRMA would get back to the Town with answers. Ms. White indicated she would do it as quickly as possible. Ms. Menard indicated another Board of Selectmen Meeting is scheduled in two weeks, and hopefully, she would have heard something from CIRMA at that time.

A lengthy discussion continued among Mr. Burnham, Ms. White, Ms. Crockett, Ms. Gabriel, Mr. Kaufman, Ms. Menard, and Mr. Pippin along with audience members, regarding controls, maintenance, and insuring the park.

Board Recessed at 8:30 p.m.

Board Reconvened at 8:40 p.m.

VIII. Board and Commission Resignations and Appointments

a. Resignations: None

b. Re-Appointments:

- 1. Elderly Commission, Deborah A. Donovan, (D), 4 year term expiring 10/01/2015**

It was **MOVED** (Hayes) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves the re-appointment of Deborah A. Donovan (D) as Regular Member to serve a four year term expiring October 1, 2015.

2. Parks and Recreation Commission, Blaine G. Simpkins, (R), 4 year term is expiring 10/01/2015.

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the re-appointment of Blaine G. Simpkins (R) as Regular Member to serve a four year term expiring October 1, 2015

3. Planning and Zoning Commission, Joseph P. Ouellette, (U), 4 year term expiring 10/01/2015.

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the re-appointment of Joseph P. Ouellette, (U), as Regular Member to serve a four year term expiring October 1, 2015

c. New Appointments: None.

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.

IX. Unfinished Business

BMX/Skateboard Park Study Committee Update

Previously discussed.

X. New Business

b. Award of Contracts for HVAC, Plumbing and General Contractor

Ms. Menard indicated the bids were opened for the HVAC, Plumbing and General Contractor contracts. The contractors who bid are not named, but referred to as Nos. 1, 2, 3, and 4. She indicated that Bidder No. 1 was the most reasonable by 75 cents, response time is one hour, and the material mark up is 10%. Mr. Pippin inquired if the license number and contractor insurance were reviewed. It was indicated they were.

Mr. Burnham inquired as to how long the contract was. It was explained the contract is a one year contract, and can be renewed up to three years. Ms. Menard commented in any contract there is a clause to cancel within 60 or 90 days.

It was **MOVED** (Burnham) and **SECONDED** (Hayes) and **PASSED** (U) that the Board of Selectmen approves accepts Bidder No. 1 and awards contract to Bidder No. 1 for the heating and HVAC contract for fiscal year 2011-2012.

Ms. Menard indicated the next service is the general handyman, which would include painting, general repairs, and maintenance that could not be performed by the building maintenance. Only two bids were obtained, one for \$50.00 per hour and other for \$56.00 per hour; in both cases, a mark up of 10% for materials. This contract has gone to bid two times and only two bidders have replied.

It was **MOVED** (Hayes) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves accepts Bidder No. 5 and awards contract to Bidder No. 5 for the general handyman contract for fiscal year 2011-2012.

The last contract awarded was plumbing, which only one bidder submitted a bid for the contract. This is the second time this contract has gone to bid. Ms. Menard indicated she doesn't understand why only one submitted a bid.

It was **MOVED** (Pippin) and **SECONDED** (Simmons) and **PASSED** (U) that the Board of Selectmen approves accepts Bidder No. 7 and awards contract to Bidder No. 7 for the plumbing contract for fiscal year 2011-2012.

b. Discussion of Shared Services

Ms. Menard gave to the Board Members in their packets three pages of minutes from previous meetings from August 2006 and November 2006 in which there were discussions of shared services. She is a believer of shared services and she had this discussion with the Superintendent of School, who is also a believer of shared services. In August of 2006, a motion to establish an Ad Hoc Shared Services Committee which consisted of the two Board of Selectmen Members, two Board of Finance Members and two Board of Education Members for 60 days to report back to the Board of Selectmen. The Committee was formed to research combining town services where feasible. In November of 2006, the Committee reported back to the Board of Selectmen indicating there were possibilities of sharing services and it was moved to extend the term of the Shared Services Ad Hoc Committee to a full 18 month term. Ms. Menard would like to reestablish the committee and discuss the original make up of the Committee if it is worked or should it be revised. Mr. Hayes indicated he was on that Committee and everyone worked together; however, it was difficult to have meetings due to the times meetings

were held. Questions were asked if the Committee could be reestablished or if it had to go to a Town Meeting due to the changes in the Charter. Ms. Menard indicated she would research this question. Ms. Menard suggested two year terms, staggered. Mr. Pippin commented that due to the upcoming election, the members could change. Mr. Hayes commented maybe not having two members, but just has one liaison as the Board of Selectmen has currently with other Boards and Commissions. Ms. Menard suggested having one member be from the Board of Selectmen, Board of Education, and Board of Finance and the Treasurer. Ms. Judith Rajala, Board of Education Member and audience member, suggested the First Selectman and Superintendent be co-chairs of the Committee.

A discussion was held.

It was decided this subject will be discussed further at the next Regular Board of Selectmen Meeting on October 4, 2011.

d. Tax Refunds

Ms. Menard discussed an Application for Refund request from the Tax Collector dated September 14, 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 \$337.21.

It was **MOVED** (Pippin) and **SECONDED** (Burnham) and **PASSED** (U) that the Board of Selectmen approves the tax refunds in the amount of \$337.21 pursuant to the tax collector's request of September 14, 2011.

XI. Budget Matters

Budget Transfers

Ms. Menard indicated to the Board she had a document from the State of Connecticut which explained the State's formula for aid. She indicated if any one wanted a copy of the document, copies could be provided to them.

Mr. Hayes inquired as to the status of the MBR and the State Department of Education. Ms. Menard indicated the Superintendent has been in communication with the State Department of Education and has given the information requested. They are awaiting an answer so the next step can be done.

XII. Executive Session (pursuant to Connecticut General Statutes Section 1-200(6) Personnel and Litigation

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 9:09 p.m.

It was **MOVED** (Simmons) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen terminates Executive Session enters into Public Session at 9:43 p.m.

No action taken.

XIII. Adjournment

It was **MOVED** (Simmons) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen adjourns the September 21, 2011 Regular Meeting at 9:44 p.m.

Respectfully Submitted,

Denise M. Piotrowicz
Recording Secretary