

**TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
11 Rye Street
Broad Brook, CT. 06016
First Selectmen's Office – (860) – 623-8122**

Regular Meeting Minutes

Tuesday, September 2, 2014 at 7:00 p.m.

BOARD MEMBERS

Denise Menard – First Selectman	Dale A. Nelson - Selectman
Jason E. Bowsza – Deputy First Selectman	James C. Richards - Selectman
Steve Dearborn - Selectman	

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

1. CALL TO ORDER:

First Selectman Menard called the Meeting to order at 7:00 p.m.

2. ATTENDANCE:

Present:

Denise Menard, First Selectman
Jason E. Bowsza, Deputy First Selectman
Steve Dearborn, Selectman
Dale A. Nelson, Selectman
James C. Richards, Selectman

Absent: All Selectmen were in attendance this evening.

Guests:

Agricultural Commission: Albert Grant, Chairman; Kirk Monstream, Peter Larese; **East Windsor Historical Society:** Jessica Bottomley, John Burnham, Michael Hunt, Chairman; **Broad Brook Mill Remediation Project Team:** Bryan Kielbania, United Technology Corporation/Hamilton Standard Corporation; Bruce Cliff, XDD; Maurice Hamel, CT Department of Energy and Environmental Protection (CTDEEP), and Mark Allen, SCS.

3. ADDED AGENDA ITEMS:

No added agenda items.

4. APPROVAL OF MINUTES:

Regular Meeting Minutes of August 19, 2014:

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It was MOVED (Nelson) and SECONDED (Bowsza) to APPROVE the Minutes of the August 19, 2014 Regular Meeting of the Board of Selectmen as presented. Discussion: Selectman Dearborn noted, with humor, the notation of his arrival at the meeting at 7:01 p.m.; the recording secretary apologized, noting that was her standard way of reporting members attendance. Motion PASSED. In Favor: Bowsza, Dearborn, Nelson, Richards. Opposed: No one. Abstained: No one.

5. COMMUNICATIONS:

First Selectman Menard noted receipt of the Summary Report for the Housing Chapter of the POCD (Plan of Conservation and Development). The report has been submitted by Laurie Whitten, Town Planner, as part of the research/review process for the POCD update. Discussion followed; the Board requested Town Planner Whitten appear at a future Board of Selectmen (BOS) Meeting to give an update on the status of the development of the POCD.

6. SELECTMEN'S REPORT:

A. Denise Menard:

First Selectman Menard read her report – See Attachment A, page 1.

First Selectman Menard noted she had received e-mail correspondence from individuals regarding the Town's decision to enter into a lease/purchase agreement to fund replacement/updating of the HVAC system and the purchase of two plow trucks. In response First Selectman Menard offered an explanation of the bonding vs. lease/purchase options from Treasurer Kim Lord, and an excerpt of the presentation made to various agencies by Webster Bank comparing these financing options. – See Attachment A, pages 2 through 5.

B. Jason E. Bowsza:

Deputy Selectman Bowsza noted the new Town website and the proposed Annual Report redesign are awesome; both represent a fresh look for the Town.

Deputy First Selectman Bowsza presented his report – See Attachment B.

The final paragraph of Deputy Selectman Bowsza's report notes the BOS are proposing to meet with the Economic Development Commission (EDC) in the future. He referenced reports of business visits made by an EDC member, and requested copies of the reports prior to meeting with the EDC so the reports can be reviewed. Deputy Selectman Bowsza's request generated opposition to release of the reports by Selectman Richards as he felt the EDC was not in full agreement with the direction of the reports. Discussion followed regarding Deputy Selectman Bowsza's request. It was agreed that the requested information is

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available to the public. First Selectman Menard agreed to ask the Economic EDC Chairman for the requested reports.

C. Steve Dearborn:

Selectman Dearborn indicated he attended the opening of the bids for the plow trucks which are part of the lease/purchase agreement discussed by First Selectman Menard and Treasurer Lord via Attachment B noted above. Selectman Dearborn advised the Board he contacted some of the dealers involved in the current bid process to get a better bid. First Selectman Menard suggested the Selectmen shouldn't be contacting any of the bid participants directly as submission of bids should be impartial. Lengthy discussion followed.

Selectman Dearborn also addressed the issue of being a liaison to other boards and commissions. He noted the liaison attends a meeting but doesn't give any input; he questioned what the practice did to move East Windsor forward? Selectman Dearborn stated he will no longer act as a Selectman liaison to any board or commission. He felt the heads of the commissions or boards should report back to the Board of Selectmen.

D. Dale Nelson:

Selectman Nelson reported she was on vacation; she had no report to submit.

E. James E. Richard:

Selectman Richards reported he did not attend the recent Board of Education meeting, but he understands the scores are up.

With regard to acting as a liaison to other boards, Selectman Richards suggested there is no requirement in the charter that any member of the Board of Selectmen must be a liaison to any other agency. Selectman Richards indicated he somewhat agreed with Selectman Dearborn; they have no real representation at these meetings. First Selectman Menard clarified there is no implication on her part that any selectman needs to attend other board meetings; the liaison positions were put in place for better communication and the Board of Selectmen is better informed as to what the other boards and commissions are working on. Each selectman is not there to represent the Board of Selectmen as a speaker; they are there to bring back information from the meetings which might be beneficial. If a selectman doesn't want to go as a liaison they don't have to go.

Selectman Richards continued with his verbal report, noting that not all Economic Development Commission (EDC) members are in agreement with the direction suggested in the business reports Deputy First Selectman Bowsza is requesting. Selectman Richards suggested the EDC has been working hard for nine years to

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get where they are; they were not ready to release the reports. Discussion followed.

7. PUBLIC PARTICIPATION:

Kathy Pippin, Woolam Road: reported she attended a Water Pollution Control Authority meeting and liked it. She made a report to the Board of Selectmen last month and Art (Enderle, WPCA Supervisor) liked her comments. Their direction has changed.

John Burnham: reported he really appreciates the new paving on Old Ellington and Abbe Roads.

Mr. Burnham also noted as Chairman of the Housing Authority he appreciates that the Selectmen attend the Housing Authority Meetings; it helps him as a commissioner.

Albert Grant, Chairman, Agricultural and Conservation Commissions: felt it's helpful to both commissions to have a liaison in attendance. The commission can ask questions. As Chairman of these commissions it's helpful to have someone there.

Jessica Bottomley, member of the Historic Preservation Commission: indicated she finds it helpful to have Selectman Richards there as a liaison.

Regarding the Barber Hill Schoolhouse, Ms. Bottomley reported she's excited that the Board of Selectmen are talking about preserving the structure, wherever it's located. She reported she is also a member of the East Windsor Historical Society, which is doing a wonderful thing and it will be a benefit to have the schoolhouse on the Historical Society property. Ms. Bottomley reported they host third graders every year, and now those kids will be able to see what an old schoolhouse was like. The Historical Society is a wonderful organization comprised of many wonderful people who are interested in preserving East Windsor's history.

8. BOARD AND COMMISSIONS APPOINTMENTS:

- A. **Resignations:** None.
- B. **Re-Appointments:** None.
- C. **New Appointments:** None.

9. UNFINISHED BUSINESS:

A. Charter Revision Update:

First Selectman Menard reported the draft proposed Charter changes has been sent to the Town Attorney; an annotated review of the document should be ready for the next Board of Selectmen Meeting. The Board had been concerned about presenting a document to the public which hadn't gone through the legal review. Discussion followed regarding the sequence for the Board's review and presentation for a public hearing.

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B. Update on Barber Hill Schoolhouse:

First Selectman Menard reported she continues to work with the Town Attorney to complete the transfer of the Barber Hill Schoolhouse to the Historical Society. She has received minutes from a March, 2014 Meeting of the East Windsor Historical Society at which a motion was made for the Historical Society to acquire the Barber Hill Schoolhouse, and for it to be relocated to 115 Scantic Road. The property must now be deeded to the Historical Society; the specifics of the transfer must include a length of time to disassemble the property and reassemble it at the new location, and clarification that the intended use of the property is for historical purposes. The transfer must be approved via Town Meeting.

C. Update regarding Farm Leases – to Agriculture Commissioners:

Albert Grant, Kirk Monstream, Peter Larese, and Jim Stremper – all members of the Agricultural Commission – joined the Board to discuss farm leases of Town property for the year beginning 2015. Albert Grant recalled some of the recommendations made in Meeting Minutes of the Agricultural Commission dated April, 2014. Discussion followed regarding the investment incurred by the tenant farmer to prepare the land for the following season, the potential duration of the lease, the length of time for a lease situation to become profitable for the lessee, developing a cost per acre scale based on the crop being produced, insurance requirements, current lessee to have first option for renewal, East Windsor residents should have priority for leases, consistency of lease language, development of a standard lease agreement, annual inspection of leased area by Town staff and farmer, testing of soil for possible contamination, and the consideration of the possibility of incubator farms for smaller parcels.

Discussion continued regarding the evolution of farming, the reluctance of younger generations to continue the farming industry, and the diminishing value of the tobacco crop. Selectman Richards was interested in information on the changing farming environment in East Windsor. Deputy Selectman Bowsza noted the availability of a 2012 agricultural census generated by the USDA which provides information by county.

It was suggested the Board consider a target date of December 1st as renewal date for 2015 leases. The Agricultural Commission will review the current leases, and make language and other recommendations at their September Meeting for referral to First Selectman Menard.

10. NEW BUSINESS:

A. Broad Brook Mill Property Update

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The following members of the Broad Brook Mill Remediation Project Team joined the Board: Bryan Kielbania, United Technology Corporation/Hamilton Standard Corporation; Bruce Cliff, XDD; Maurice Hamel, CT Department of Energy and Environmental Protection (CTDEEP), and Mark Allen, SCS.

Mr. Cliff (of XDD) opened discussion by giving a brief history of the project site, noting it had originally been used as a tannery in the mid-1800s and been used as an industrial site continuously until the late 1970s. Hamilton Standard originally purchased the site in 1954; it was subsequently sold to a developer in the 1980s. A portion of the mill buildings was destroyed by fire and a remaining portion of the structures were converted to condominiums in the 1990s. The site was later determined to be contaminated by industrial operations on the property. Hamilton Standard re-purchased the property in 2004 to begin clean-up. A Consent Order was issued in 2005; CTDEEP (Connecticut Department of Energy and Environmental Protection) is the lead agency regarding the clean-up/remediation but many other local and Federal agencies are involved in the proposed project as well.

Mr. Cliff noted the original proposal included a system for capping the soil to protect anyone subsequently using the property, an embankment stabilization plan calling for installation of riprap for 800' along the Broad Brook to address erosion, and a sediment removal plan. Further review of the conditions at the site have found that the majority of the banks along the stream are heavily vegetated with 6" to 10" diameter trees; installation of the riprap would cause greater disturbance than the current conditions. The area of stabilization has been revised to under 200' along the stream.

Mr. Cliff reported a proposal for remediation was submitted to the EPA (Environmental Protection Agency) in 2011. The wetlands survey has been completed. Review of the embankment stabilization plan and sedimentation removal plan are currently underway. CT DEEP has agreed with the revised/reduced embankment stabilization plan; the ACOE (Army Corp of Engineers) would issue a letter permit. An injection permit application has been submitted to address remediation of the groundwater due to the chromium issues. Monitoring of drinking water and groundwater will be implemented as well.

Mr. Cliff reported the team submits bi-monthly progress reports to CTDEEP and the EPA. In an effort to improve communication he suggested that copies of these reports should be submitted to the Town also. Conference calls and e-mail communication should continue as they have in the past.

Mr. Kielbania (of Hamilton Standard) noted installation of the cap system and the groundwater work will be the final step of the remediation, and will come at a later date. He indicated there will be a long term obligation for this site with regard to testing the cap. They are hoping to be able to start some of the work

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later this year, and will continue on through 2015 and 2016 depending on permit approval, and implementation of the bidding process.

Mr. Hamel (of CTDEEP) indicated this is not considered a clean site but it is not considered a hazardous site. The technology being used for this remediation is the same technology being used across the state for other remediation projects. Mr. Hamel agreed that they would like to start some of this work this Fall.

Discussion followed regarding remediation options, continuing monitoring, and potential uses of the property post-remediation.

The Board paused at 9:00 p.m. for a five minute break.

11. EXECUTIVE SESSIONS:

Pursuant to C.G.S. section 1-200 (6) (a) Personnel & (b) Litigation

It was MOVED (Nelson) and SECONDED (Bowsza) to GO INTO EXECUTIVE SESSION pursuant to C.G.S. section 1-200 (6) (a) Personnel & (b) Litigation at 9:05 p.m. DISCUSSION: Attending were First Selectman Menard, Deputy Selectman Bowsza, Selectman Dearborn, Selectman Nelson, and Selectmen Richards, and John Burnham, Jessica Bottomley, Diane Lajoie, and Michael Hunt. The Motion PASSED. In Favor: Bowsza, Dearborn, Nelson, Richards. Opposed: No one. Abstained: No one.

The Board came out of Executive Session at 9:56 p.m.

10. NEW BUSINESS (continued):

B. Lion's Club Request:

It was MOVED (Bowsza), and SECONDED (Richards) to declare September 28th East Windsor Lions Club Tour de East Windsor Day. Discussion: None. Motion PASSED. In Favor: Bowsza, Dearborn, Nelson, Richards. Opposed: No one. Abstained: No one.

C. Approval of Tax Refunds

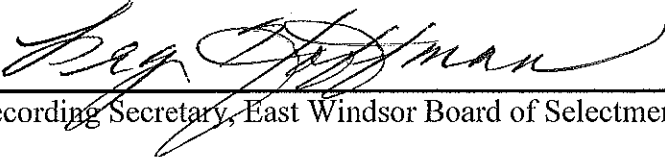
It was MOVED (Nelson), and SECONDED (Bowsza), that the Selectman APPROVE the tax refunds totaling \$3,733.55 as presented in the Tax Collector's Report dated 8/27/2014. Discussion: None. Motion PASSED. In Favor: Bowsza, Dearborn, Nelson, Richards. Opposed: No one. Abstained: No one.

12. ADJOURNMENT:

It was MOVED (Nelson), and SECONDED (Richards), to ADJOURN this Meeting at 9:58 p.m. The motion PASSED unanimously.

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Respectfully submitted,



Peg Hoffman, Substitute Recording Secretary, East Windsor Board of Selectmen

September 2, 2014
My report to the Board of Selectmen

*Attachment A
Page 1*

Attached is an invitation from the Economic Development Commission to attend their Meet and Greet Thursday September 25 at 5:30 pm at Merlot on the Water.

Four companies bid on the Public Works trucks. Bids came in between \$381,298 and \$425,014. The Public Works Director is going over the bids to be sure they address everything in the specs. I should know who the successful bidder is by our next meeting. The bid opening for the Town Hall HVAC project has been extended to September 11 in order for all those interested in bidding to have enough time to address all the pieces of this complex project.

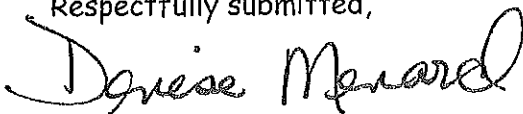
As we continue with these 2 projects that are being financed with lease purchase (also known as lease to own) arrangements, questions have arisen about this type of financing. I am attaching a copy of a note from a member of the Board of Finance to the Chairman along with a copy of my response to Selectman Richards about this type of financing. My response also includes a paragraph from the Treasurer describing the difference between financing with bonds versus lease-purchase. Also attached are a copy of a page from a February 2014 presentation to the Boards of Selectmen, Finance and the Capital Improvement Committee by the Town's financial advisor comparing financing via bonds versus lease purchase and a copy of the 2014-2015 Capital Improvement and Capital Non-Recurring accounts showing that these projects are funded for this year. Note the difference in costs for both types of financing in the Webster Bank document. I am providing all this info to help everyone better understand this additional way we can use to finance capital projects. Please don't hesitate to contact me or the Treasurer with any additional questions.

Hiring is in process for the 25 hour Senior Center position, Administrative Assistant to replace Heidi in the Selectman's office and a 19 hour Financial Clerk to be shared by the Tax and Treasurer's departments. We hope to be fully staffed by late September/early October.

Hopefully you have all used our redesigned website. We are receiving lots of positive comments. With all the information available on the site, it isn't a surprise that we continue to find things that need to be tweaked. Please be sure to let us know if you encounter any problems so they can be addressed quickly. This was a great joint effort by Melissa Maltese and Heidi Vane. Thank you Melissa and Heidi for the time and energy spent on this project . . . a great success!

Finally, attached is the beginning of a proposed new look for the Town's annual report. Treasurer Kim Lord came to me with this format. I find it a great change, easy to read, a clean and concise look but full of good information. Again, please let me if you have any suggestions on this new format.

Respectfully submitted,


Denise Menard

*Attachment A -
Page 2*

To: Jerilyn Corso, Chairman – EW Board of Finance
From: Robert N. Little
Date: 30 August 2014

RE: Master Lease Agreement Resolution

Reading the minutes of the August 19th meeting of the Board of Selectmen agenda item 10 (B).

This item approved “A Resolution Authorizing a Master Lease Agreement”.

This resolution was approved by the Selectmen allowing them to enter into lease-purchase financing of two trucks and the replacement of the town hall HVAC. The value of this financing is \$1,100,000.

Obviously, the BOS are unaware of the contents of the charter or are just ignoring it. They pass items like this with no discussion. This seems like another attempt to spend money totally ignoring the BOF.

The Town Charter as noted below states that to approve such a resolution, it requires a referendum.

Section 10-8

B) Any resolution authorizing the issuance of notes, other borrowing or issuance of bonds up to (1) million. Amounts in excess of one (1) million will require a referendum.

Further, I cannot find in our current 2014/2015 budget a allocated line item appropriation for such borrowing.

Therefore, in order for this resolution to go forward the Charter further states:

Section 10-8

D) The Town Meeting shall not act upon any appropriation which has not been recommended or referred to the Town Meeting by the Board of Finance.

It is our responsibility as the Finance Board to insure all financial transactions are in compliance with the Town Charter and in the best interest of the town. Lease Purchases are more expensive than straight purchases. Before any further actions are taken on this matter, I recommend the complete financial impact should be presented to the Finance Board, and to where the money will come and budgeted.

I think that this matter requires a special meeting of the BOF.

Please send copies of this to the First Selectman, Treasurer, BOF, and BOS as I don't have all the Email addresses.

Regards

Bob

*Attachment A -
Page 3*

From: Kim Lord
Sent: Tuesday, August 26, 2014 3:32 PM
To: Denise Menard
Subject: RE: HAVC & Truck Leasing

FYI-

How Does Lease-Purchase Financing Differ From Bond Financing?

A lease-purchase financing is an exercise of a governmental entity's authority to acquire or dispose of property. The issuance of bonds is an exercise of the authority to incur debt. Unlike a bond issue, a lease purchase financing is not considered to be debt for state law purposes, and no voter approvals are necessary to authorize the transaction. The underlying security for the two types of obligations is also different. With bond financing, the borrower commits a designated revenue source, such as property taxes or user charges, and obligates itself to raise revenues to the extent necessary to pay debt service. There is no such obligation supporting a lease-purchase agreement. The governmental entity covenants only to budget and appropriate lease payments from available revenues each year.

From: Denise Menard
Sent: Tuesday, August 26, 2014 3:18 PM
To: James Richards; Steve Dearborn; Dale Nelson; Jason Bowsza
Cc: Kim Lord
Subject: RE: HAVC & Truck Leasing

Hi Jim – the lease purchase financing was discussed and approved by both the Boards of Finance and Selectmen as part of the budget last year so in actuality any questions regarding that financing would have been addressed at the budget town meetings and voted on at the budget referendums. Maybe Mr. Mannette thinks we are bonding for these projects. As has been stated to the Board of Finance and I have stated to the Board of Selectmen, lease purchasing is an entirely different way of financing from bonding. It has all been through legal review and is done by many communities. Hope I've answered Mr. Mannette's question clearly enough. If he has additional questions, I suggest he attend the next Board of Finance meeting and ask his questions there.

Denise Menard
Town of East Windsor
First Selectman
11 Rye Street
Broad Brook CT 06016
860.623.8122 (p)
www.eastwindsorct.com

 Please consider the environment before printing this message.

From: James Richards
Sent: Tuesday, August 26, 2014 10:35 AM
To: Denise Menard; Steve Dearborn; Dale Nelson; Jason Bowsza
Cc: James Richards
Subject: HAVAC & Truck Leasing
Importance: High

Good morning all - as you know our minutes were published on website for our last meeting- Mr Manette caught up with me and implied that the leasing agreement should be going to a Town Meeting/ Referendum-etc.

Could someone double check that we do or don't need them

Thanks Jimbo

James C Richards
Selectman

Town of East Windsor, CT

Debt Considerations

Xay

Vice President

Webster Bank

Government Banking

xay@websterbank.com

February 4, 2014



*Attachment B -
page 4*

Financing Structures

A Comparison



The Town should consider loans as a financing a vehicle.

	<u>Public Sale</u>	<u>Direct Loan</u>
<u>Disclosure</u>	Offering Statement	Limited Financials
<u>Cost</u>	Total Costs: \$85,000*	Total Costs: \$20,000
<u>Rate</u>	Based On Market	Set At Time Of Borrowing
<u>Risk</u>	Rates Rise - Savings Lost Rates Fall - Locked In	None: Callable At Anytime

Bond Counsel: \$25k
 Rating: \$10k
 FA Fee: \$25k
 Underwriter's Fees: \$25k

Legal Counsel: \$20k
 Rating: N/A
 FA Fee: N/A
 Underwriter's Fees: N/A

*Preliminary and subject to change



Selectmen's Report - September 2nd

On August 20, the Pension Board met. At our next meeting, the board will be considering adjusting the pension investment strategy to allow for international market investment as well. This is something that's been discussed in the past, and it will allow us to better capitalize on markets that we should want to capture.

This year there will be new GASB standards that will change the look of our annual financials. Essentially, what was once a single page report is now likely to be a 20 pages. It will allow for an incredible increase in transparency for the public, but will require a new layout.

The conservation commission met on 8/27. They discussed the need for an attendance requirement of members, suggesting that commission members should/need to attend a certain number of times per year. They have had significant difficulty making a quorum?

The commission is currently reviewing town owned properties for open space or passive recreation uses. They are still interested in incorporating PA 490 into the POCD to cover open space as well

There is a potential open space donation to the town along the Scantic River. The space is approximately 4.6 acres behind Scantic Glen. The commission moved to recommend that the town accept the property in exchange for partial legal fees to be paid out of the conservation fund.

As we get ready to meet with the EDC at our next meeting, would it be possible for us to get copies of Andy Hoffman's business visit reports and analyses?

Sent from my iPad