

**TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
11 RYE STREET
BROAD BROOK, CT 06016
First Selectman's Office – (860) 623-8122**

Regular Meeting Minutes

Tuesday, October 6, 2015 at 7:00 p.m.

BOARD MEMBERS

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

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

1. CALL TO ORDER

First Selectman Denise Menard called the Regular Meeting to Order at 7:00 p.m. at Town Hall.

2. ATTENDANCE

Present:

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. ADDED AGENDA ITEMS

5. APPROVAL OF MINUTES

Regular Meeting Minutes of August 18, 2015

MOTION was made (Nelson) and **SECONDED** (Richards) to approve the Regular Meeting Minutes of the September 1, 2015 meeting as presented.

In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

6. COMMUNICATIONS

- A. First Selectman Menard read the memo from Assistant Town Planner Robin Newton regarding Ad Hoc Committee for Opposition to CT State Police Training Facility.
- B. First Selectman Menard read the request from Steve Smith regarding the Ethics Commission. She stated that she would answer Mr. Smith's questions and provide the Board with a copy for the next Board of Selectmen meeting.

C. First Selectman Menard shared with the Board that the State Funding Cuts for East Windsor were \$53,895.

7. PUBLIC PARTICIPATION

Dick Pippin, 37 Woolam Road asked the Board of Selectmen to send the Governor a letter asking to take \$57,000 worth of mandates off the table to go along with the State funding cuts. First Selectman Menard stated that she is a constant advocate for asking about the unfunded mandates.

Mr. Davey, from the NEW group asked if he could leave the NEW brochures at Town Hall for people to take if they wanted to. The Board of Selectmen agreed that, that was fine.

Steve Dearborn, 144 East Road presented First Selectman Denise Menard Freedom of Information Request regarding something that happened to him before the election. First Selectman Menard cautioned Mr. Dearborn that he will be disclosing information that the people involved in this could have a legal issue with. She also informed him that it would be discussed in tonight's Executive Session.

At 7:10 p.m. a **MOTION** was made (Richards) and SECONDED (Nelson) to take a 10 minute recess.

In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

Mr. Dearborn stated that he went to the Police Department on Thursday and asked for copies of statements filed since the incident was about him. The Police Department said that they could not give them out. Mr. Dearborn said he has another agency getting involved to obtain the statements. Mr. Dearborn wanted to make it known that he did not agree with the outcome of this investigation because he feels there was wrongdoing and the person should not have gotten away with it. First Selectman Menard stated that his Freedom of Information request is addressed to the Police Chief and that he will reply timely.

Tom Talamini, 23 Rice Road, wondered if there were any updates on the Skylark Airport. First Selectman stated that she will mention that in her report.

8. BOARD AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS

Resignations: **MOTION** made (Bowsza) and SECONDED (Richards) to accept the resignation of Thomas J. Stremper (R) from the Permanent Building Commission with regret.

In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

Reappointments:

1. **MOTION** made (Richards) and **SECONDED** (Nelson) to reappoint Gilbert Hayes (D) as regular member on the Greater Hartford Transit District for a term expiring 2/1/2019.
In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.
2. **MOTION** made (Richards) and **SECONDED** (Bowsza) to reappoint Joseph Ouellette (U) as a regular member on the Planning and Zoning Commission for a term expiring 10/1/2019.
In Favor: Bowsza, Nelson and Richards. Opposed: Dearborn.
Discussion: First Selectman Menard said that he is the Chairman and does a great job.
3. **MOTION** made (Nelson) and **SECONDED** (Richards) to reappoint Robert Slate (R) as a regular member on the Inland/Wetland Watercourses Agency for a term expiring 11/1/2019.
In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

New Appointments:

MOTION made (Nelson) and **SECONDED** (Bowsza) to appoint Catherine Simonelli (R) as a regular member on the Capital Improvements Planning Committee for a term expiring 8/31/2017.
In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

9. UNFINISHED BUSINESS**Update on the East Windsor Youth Center**

Wendy Parker was present to update the Board on the status of the East Windsor Youth Center. She informed the Board that the Youth Center had its final building and fire marshal inspection and that its opening date will be Tuesday, October 20th. Ms. Parker indicated that there will be dinner provided every Friday night and the internet and phone line will be installed on Tuesday.

First Selectman Menard offered to have our insurance carrier review any liability forms Ms. Parker had for the Youth Center. Ms. Parker read from the East Windsor Youth Center Brochure hereto attached as Attachment A. An East Windsor resident asked Ms. Parker if she had done anything within the Town or school system to see if anyone would be interested in attending the Youth Center. Ms. Parker replied that they had sent a questionnaire out in the Middle and High School and got an overall positive response. The Board applauded and congratulated Ms. Parker on getting this into motion in just a year and half.

10. NEW BUSINESS

MOTION made (Bowsza) and **SECONDED** (Richards) to take Item 10B out of order.
In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

B. Report from Ad Hoc Committee for Opposition to the CT State Police Training Facility

Michael Scalzo, Sr. was present representing the Ad Hoc Committee. He read and provided the Board with copies of the document of recommendations to the Board of Selectmen hereto attached as Attachment B. Mr. Scalzo indicated that he does not understand why the Boards and Departments will not take a position on the CT State Police Training Facility and he does not appreciate it.

Mr. Scalzo asked First Selectman Menard if the Ad Hoc Committee had the authority to ask all the Town Departments for a written response to the questions asked on the attached document. First Selectman Menard said that it was absolutely fine and she would distribute copies of the questions at her Senior Staff meeting.

Corresponding with Item #3 in Attachment B, First Selectman Menard stated that the Town Planner would be on "double duty" since the Assistant Town Planner gave her letter of resignation, this would make it difficult for the Town Planner to attend every Ad Hoc Committee meeting. First Selectman Menard offered to go to the Ad Hoc Committee meetings for the Town Planner.

Corresponding with Item #5 in Attachment B, First Selectman Menard informed Mr. Scalzo that she will likely be able to have a meeting with the Lieutenant Governor. She said that she has been told that the Governor will not meet with her or the Board of Selectmen on this matter.

Corresponding with Item #6 in Attachment B, First Selectman Menard said she did check on this item and they do not conduct regular inspections there. They get renewed permits for the operations and they have to submit asbuilts. They do not have the equipment to do the "topos" of all of that. It is the responsibility of the engineers who put their professional seals on it that verify where they are with the land. Mr. Scalzo informed Selectman Menard of illegal dumping taking place on that land. First Selectman Menard reported that she has made the Planner aware the illegal dumping. The Planning and Zoning Office checked this out and there did not seem to be any illegal dumping at the time. They have also conducted daily truck counts.

Gary Mazzone mentioned that the zoning permits that were issued by the town stated that there would be periodic inspections. He questioned why would Planning and Zoning issue a permit for periodic inspections if there are no periodic inspections being conducted?

Corresponding with Item #7 in Attachment B, First Selectman Menard feels that the Assessor is qualified to do this.

Corresponding with Item #8 in Attachment B, First Selectman Menard does not have a problem referring it to the Ethics Commission but informed Mr. Scalzo that Selectman Bowsza has connections at the State level that she does not have and that he has been very helpful.

Selectman Bowsza stated that he is going to do the proper discharge of his duties regardless of what the Ad Hoc Committee recommends. Selectman Bowsza said that he is very happy to have the Ethics Commission look into this.

MOTION made (Nelson) and **SECONDED** (Bowsza) to add 2 at large members to the Ad Hoc Committee for Opposition to the Connecticut State Police Training Facility.

In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

MOTION made (Bowsza) and **SECONDED** (Nelson) to take up the call of the agenda.

In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

A. Discussion/Action regarding Ethics Commission Memorandum of Decision

Selectman Nelson said that the Ethics Commission did a great job and were wise in their decisions. First Selectman Menard read the Decision of the Ethics Commission hereto Attached as Attachment C. Selectman Dearborn said that he will not attend training. First Selectman Menard said that we can recommend instead of require that he go to training and at the Town's expense, provide him with documentation on Freedom of Information Training, Ethics Training, and Roberts Rules of Order Training. Selectman Dearborn said that he has seen people act out in this Town Hall and does not see them required to go to these training courses. He believes that these rules and regulations are set up in such a way to keep people quiet. He feels that he tries to say what goes on in Town and he gets "punished" for it.

First Selectman Menard informed the Board that she has sent a number of employees to training such as Ethics Training, Harassment Training, Freedom of Information Training, How to Deal with Difficult People, Roberts Rules of Order Training, etc. Personnel are required to go to these types of training sessions regularly.

MOTION made (Nelson) and **SECONDED** (Richards) to accept the recommendation with the following amendment, in the second paragraph, "the commission also recommends that the Board of Selectmen **recommend** that Selectman Dearborn receive Ethics Training, Freedom of Information Training, and Roberts Rules of Order."

In Favor: Bowsza, Nelson and Richards. Opposed: None. Abstain: Dearborn.

C. Discussion of CCM Convention on October 20, 2015

CCM is holding their annual convention on October 20, 2015. First Selectman Menard asked the selectmen to tell her if they wanted to attend so that her office can register them. Selectmen Dearborn and Richards will be attending.

D. Amend and Approve the OPEB Trust

Treasurer Kim Lord requested that "Catherine Cabral" be omitted from the First Paragraph of the OPEB Trust Agreement.

MOTION made (Bowsza) and **SECONDED** (Richards) to propose the amendment as presented.

In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

E. Discussion of request to use Town Property for political signs

John Matthews, Melrose Road, spoke about signs on Town Property that were removed and it was unclear why they were removed. He said that he looked through all the Town ordinances and said that there were no ordinances that regulate the signs. He discussed a Planning and Zoning regulation that excludes political signs from being on public property. Mr. Matthews read an article by Reed vs. Town of Gilbert. He read the following quote, "prohibits the enactment of law abridging freedom of speech, a government including a municipal government vested with State Authority has no power to restrict expression because of its message, its ideas, its subject matter, or its content. In other words, he feels if you allow some signs in town and do not allow others you can do that if it has to do with size, color, and number but you cannot regulate signs based on what they say. He stated that it appears as though we are in violation of this Supreme Court Ruling. He suggested that the Board of Selectmen think about hiring a moratorium and think about offering a motion on it for the next Board of Selectmen meeting and then allow the political people to allow signs on Town Property.

First Selectman Menard read the Memorandum with attachments from Laurie Whitten, CZEO, AICP. First Selectman Menard suggested that we forward this matter to the Planning and Zoning Commission.

Don Arcari asked what will happen if we are not in compliance with the Supreme Court? First Selectman Menard said that they would remove all the signs from Town Property tomorrow.

MOTION made (Bowsza) and **SECONDED** (Richards) to forward this matter to Planning and Zoning for comment with no approvals being issued by the Board of Selectmen.

In Favor: Bowsza, Dearborn, Nelson, and Richards. Opposed: None.

Discussion: It was the consensus of the Board to remove all signs so that until we get a decision from Planning and Zoning next week, we are in compliance with the Supreme Court ruling.

F. Discuss creating a YouTube account for board and commission communications

Amanda Schroll Recording Secretary informed the Board and the residents of East Windsor that she had received several requests for recordings of Board of Selectmen meetings, so she was looking into a way to post the recordings to the website. After speaking with our website administrator, they suggested we create a YouTube account and upload our Board and Commission meeting recordings to the account. Then create a link on our Town website to the YouTube account for the public to easily access the recordings. There was discussion regarding which employees would be responsible for updating the YouTube account. First Selectman Menard said that she would think that the person who manages the website for each department would also likely upload the recordings to the East Windsor YouTube Account. The Board thought this was a great idea and agreed to move forward with this.

G. Approval of Tax Refunds

MOTION made (Nelson) and **SECONDED** (Richards) to approve the tax refunds in the amount of \$4,273.55 dated October 1, 2015.

In Favor: Bowsza, Dearborn, Nelson and Richards. Opposed: None.

11. SELECTMEN'S REPORTS

A. Denise Menard

First Selectman Menard read her report hereto attached as Attachment D.

B. Jason Bowsza

Selectman Bowsza read his report hereto attached as Attachment E.

C. Steve Dearborn

Selectman Dearborn had nothing to report.

D. Dale Nelson

Selectman Nelson read her report hereto attached as Attachment F.

E. Jim Richards

Selectman Richards reported on the following:

- BOE is achieving some goals, newsletter sent out will be very helpful in the future, the school may have a youth area with the help of grant. He added that the grant money is a one-time thing.
Cathy Simonelli added that the Board of Education did get the grant and they will use the grant for special privilege things. They would have to be able to fund supervision for after school and they are not yet ready to move forward with that part.

- Veterans' Commission – The Road Race is November 7, 2015.
- Veterans' Commission is also looking into building a new Veteran's Memorial.
- Community Day – Thanked the committee members, Katie Shuttleworth, Laura Harney, Scott Morgan, and Sandra Sally. It was a successful event. He also thanked Windsor Federal Savings for donating \$500.00 for the event, Smith Bus Transportation, PJ Smith for transporting people back and forth, and Dunkin Donuts for providing coffee and donuts in the morning. The Fall timing of this event worked out well.
- EDC held their Annual and Expanded Business Event at Merlot on the Water, they honored 18 businesses and had 7 show up. The location was changed last minute which is why there was a low turnout.
- EDC discussed hydroponic tomato farm and the casino. They are zeroing in on the theater area for the casino. If East Windsor does not get the casino, they are hoping it will be a form of marketing for other companies to say we have this property available that has services you need.

12. EXECUTIVE SESSION

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

- A. Discussion of recent investigation (to include Robin Newton)
- B. Discussion of recent investigation (to include Rand Stanley)

At 9:26 p.m. a **MOTION** was made (Nelson) and **SECONDED** (Richards) to go into Executive Session.
Unanimous.

The Board came out of Executive Session at 10:41 p.m.

13. ADJOURNMENT

MOTION to adjourn made (Nelson) and **SECONDED** (Richards).
Unanimous.

The meeting was adjourned at 10:42 p.m.

Respectfully submitted,



Amanda Schroll
Recording Secretary

Attachment A

Registration

In order to participate in activities, all youth are required to fill out a registration form with emergency contact information. The form is available online or can be filled out during the first visit to the EWYC. All participants are required to review and sign the EWYC Rules as well as have their parent or legal guardian sign a release of liability form.

Volunteer Needs

The East Windsor Youth Center is funded solely through tax-exempt donations and staffed by volunteers. If you would like to volunteer your time in any of the following capacities, let us know!

- Communications Publicity
- Fundraising Administrative
- Research Center Staffing

Donations

To make a tax-deductible donation, send a check made payable to "East Windsor Youth Center" to:

Treasurer, Town of East Windsor
11 Rye Street
Broad Brook CT 06016

Thank you for your support!!!

PLACE
STAMP
HERE

East Windsor
Youth
Center

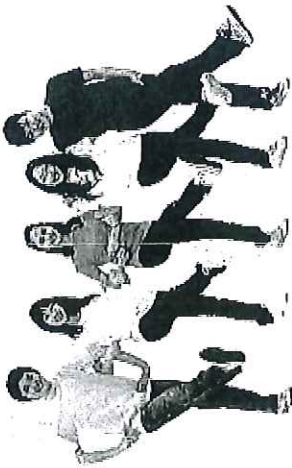
Enhancing and brightening the lives of East Windsor's youth by providing a safe, substance-free place to relax as well as opportunities to serve the community.

East Windsor Youth Center

147 Main Street
Board Brook CT 06016



860-292-6252



Mission Statement

The East Windsor Youth Center provides an all-inclusive, safe and substance-free environment where it is our mission to motivate youth to succeed in every aspect of their lives. Our programs provide a wide range of activities for children in grades five through twelve designed to develop social, emotional, physical, and cognitive skills in an all for one, one for all atmosphere. Through partnership with the community and the families of our youth, it is our belief in the strength of the human spirit that guides us to treat everyone with dignity, compassion and respect as we prepare them to respond to and resolve life's challenges. The hope is that each person who walks through our doors is able to have a positive experience where they feel friendship and acceptance.

Hours of Operation

Tuesday, 5 to 8 p.m. (HS Only)
 Wednesday, 3 to 7 p.m. (MS Only)
 Friday, 4 to 8 p.m. (Both Schools)
 (Dinner Friday nights at 5:30 p.m.)
 Saturday, 2 to 6 p.m. (Both Schools)

East Windsor Youth Center
 147 Main Street, Broad Brook

Programs

The following programs may be offered at or through the East Windsor Youth Center:

Adopt a grandparent
 Mentoring
 Community Coaches
 Peer Counseling
 Homework help
 Red Cross Babysitter Classes
 CPR and First Aid classes
 Service to the Community

Workshops

Some examples of workshops that may be held at the East Windsor Youth Center are:

Car Repair
 Cooking
 Fencing/Martial Arts/Self Defense
 Gardening
 Personal Finance
 Photography
 Renovations (carpentry, tile, woodwork)
 Tai Chi/Qigong
 Yoga

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Theme Nights

Examples of theme nights that may be held at the East Windsor Youth Center:

Weekly Dinners
 Dances
 Movie Nights
 Karaoke Parties
 Card Tournaments
 Seasonal Parties

Field Trips

East Windsor Youth Center may schedule field trips to places such as:

Bowling Haunted Hay Rides
 Nomads Hartford Wolf Pack
 Six Flags Roller Skating

Contact Us

East Windsor Youth Center
 147 Main Street
 Broad Brook, CT 06016

(860) 371-0367
ewyouthcenter@gmail.com

Visit us on the web:
www.ewyouthcenter.org

Attachment B
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TOWN OF EAST WINDSOR

AD HOC COMMITTEE FOR OPPOSITION TO CONNECTICUT STATE POLICE TRAINING FACILITY

11 RYE STREET

BROAD BROOK, CT 06106

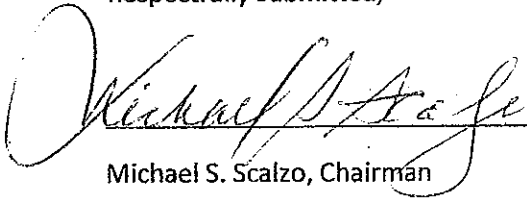
Based on the Special Meeting held on September 11, 2015 and the public participation at that meeting, the Ad Hoc Committee submits the following recommendations to the Board of Selectman and would appreciate a written and oral response to these suggestions.

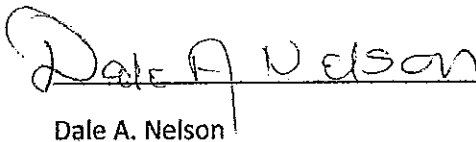
1. The PZC and IWC have declined to participate with the Ad Hoc Committee as a result of no one volunteering to do such. The BOS should authorize the appointment of two more at-large volunteers to serve on the Committee.
2. The following questions should be submitted to every Town Department with responses due back within 30 days to the BOS and Ad Hoc Committee.
 - A. If the CSP siting is successful in East Windsor, what additional duties will this create in your departments?
 - B. What advantage would the CSP siting in East Windsor have for your department?
 - C. What disadvantage would the CSP siting in East Windsor have for your department?
 - D. What additional costs would your department experience in the event they facility were to site in East Windsor?
3. The BOS should direct the Department heads of PZC and IWC to have a representative available to answer questions at each subsequent Ad Hoc meeting.
4. In order to address the issue of poor communications between the Town and residents, a Communications Director should be appointed. This could be a "voluntary" position. The Communications Director shall be responsible to notify the public of any updates, letters sent or received or new developments with regards to the CSP siting matter as well as any other matter of importance to the residents. It should also be considered that ads be placed in local newspapers updating the status of the range proposal versus just posting this information on the Town web page. Whatever media is utilized MUST contain specific information regarding the Town's opposition to the siting of the CSP facility.
5. The First Selectwoman shall attempt to meet with the Governor in an effort to comply with the Town voted petition requirement of "Secure the signature of Governor Malloy in a letter declaring that East Windsor will no longer be considered for the facility." This shall be accomplished within the next 30 days.

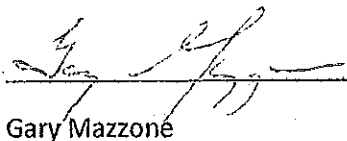
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6. The BOS shall inquire of the PZC and IWC if regular inspections are conducted on the property involved, to insure compliance with required operating conditions and environmental laws. Further, a copy of the last 10 inspection reports should be made available and reviewed by the BOS and the Ad Hoc Committee.
7. The BOS need to determine the potential extent of property value devaluation that could possibly occur if the CSP complex is sited in East Windsor. An outside Agency should be hired to perform this and certify their results.
8. The subject of the Deputy First Selectman being conflicted in dealing with the CSP siting matter as a result of his employment with a State Agency, was raised and the Ad Hoc committee recommends the matter be referred to the Town or State Ethics Committee for determination within 30 days. In the interim it is suggested he recuse himself from all discussions, votes and activity with regards to this matter.
9. The Town Government needs to take a more public pro-active position with regards to their opposition to the CSP facility as depicted in the petition. Many residents and businesses are not aware the matter is still pending or that a Town vote mandated opposition to this proposal. Perhaps posters of some type could be developed and made available or mailed out.

Respectfully submitted,


Michael S. Scalzo, Chairman


Dale A. Nelson


Gary Mazzone

9/10/2015

Gmail - RE: Ad Hoc Committee

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Gmail

michael scalzo <scalzosr@gmail.com>

RE: Ad Hoc Committee

1 message

Laurie whitten <LWhitten@eastwindsprct.com>
To: michael scalzo <scalzosr@gmail.com>
Cc: Denise Menard <DMenard@eastwindsorct.com>

Thu, Sep 10, 2015 at 3:02 PM

Hello Mr. Scalzo

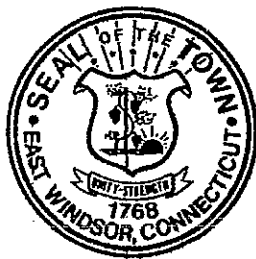
At the regular meeting of the PZC on Tuesday evening (9/8/15), the Commission discussed your request for volunteers for the Ad Hoc Committee.

There were no interested volunteers; and a general consensus that it would be inappropriate for a member of the Commission to sit on any committee for or against an issue.

Laurie Whitten, CZEO, AICP

East Windsor Town Planner

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TOWN OF EAST WINDSOR

PLANNING & ZONING DEPARTMENT

11 RYE STREET

BROAD BROOK, CT. 06016

FAX: (860) 623-6030

TOWN PLANNER LAURIE WHITTEN, CZEO, AICP

ZONING ENFORCEMENT OFFICER, Robin M. Newton, CZEO

MEMORANDUM

TO: Denise Menard, First Selectman, and
East Windsor Board of Selectmen
FROM: Robin M. Newton, CZEO Assistant Town Planner, ZWEO
DATE: September 3, 2015
SUBJECT: Ad Hoc Committee for Opposition to CT State Police Training Facility

At the Inland Wetland Watercourse Agency meeting on Wednesday September 2, 2015 the Commission considered your request to have a member volunteer to be on the above referenced ad hoc committee. All members declined.

The Agency feels that because they are a land use regulatory board it is inappropriate for them to be a part of any committee that is for or against a land use proposal in the Town. Even though the State of CT may have their own permitting process, should the State come to any of the local land use boards or commissions as a courtesy, the opinion or decision that Board would make would be tainted by their involvement in such a group. In order to maintain unbiased view of any involvement the Board may have in the future with this proposed project they feel it best to not be a part of such a committee.

Attachment C
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**EAST WINDSOR, CONNECTICUT
ETHICS COMMISSION**

Complaint No. 2015-002

MEMORANDUM OF DECISION

RECEIVED BY

SEP 23 2015

FIRST SELECTMANS OFFICE

Background

On June 11, 2015, the East Windsor Ethics Commission received a complaint submitted by Robin M. Newton, the Town of East Windsor's Assistant Town Planner and Zoning Enforcement Officer, and Laurie P. Whitten, the Town Planner and Director of Planning Community Development (Complaint No. 2015-002). The Complaint alleged that East Windsor Board of Selectman member Steven A. Dearborn engaged in certain conduct prohibited by the Town's Code of Ethics.

On June 11, 2015, the Commission conducted a confidential review of the Complaint and then proceeded to interview relevant witnesses and review documents provided by the Complainants. On July 9, 2015, the Commission, in accordance with Section 4.3C of the Town's Ethics, Ordinance No. 06-01, found, by unanimous vote, probable cause to proceed to a public hearing on Complaint No. 2015-002. Thereafter, public evidentiary hearings on the Complaint were held on August 20 and 27, 2015. The fact finding was completed at the close of the public hearing on August 27, 2015.

On August 31, 2015, the Commission invited Selectman Dearborn to attend its Executive Session to deliberate on Complaint No. 2015-002, which deliberations were scheduled to be held on September 8, 2015 at 7:00 p.m. Selectman Dearborn did not respond to the invitation to attend the Executive Session deliberations and did not request that the deliberations be held in public. Therefore, the Ethics Commission deliberated in Executive Session on September 8, 2015.

After adjourning the Executive Session, the Commission voted unanimously to adopt the following motions.

- 1) That Selectman Dearborn's motion to disqualify Attorney Joshua A. Hawks-Ladds from serving as the Commission's legal counsel be denied with prejudice.

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2) That Selectman Dearborn's motion to dismiss Complaint No. 2015-002 be denied with prejudice.

3) That, pursuant to Section 4.3.D of the East Windsor Code of Ethics Ordinance, 06-01, the Commission recommends to the East Windsor Board of Selectmen that the Board of Selectmen publicly censure Selectman Steven A. Dearborn for committing the following violations of the Town of East Windsor's Code of Ethics:

a) Violations of Code of Ethics Sections 3.1.a, 3.2 and 3.8 due to Selectman Dearborn's public comments at Board of Selectmen's meetings on personnel matters involving specific Town employees, and;

b) Violations of Code of Ethics Sections 3.1 and 3.5 due to Selectman Dearborn's conduct at the April 7, 2015 Board of Selectmen's meeting relating to a March 24, 2015 letter from Assistant Town Planner and Zoning Enforcement Officer to Selectman Dearborn's tenant, Scott Transportation.

4) That a written memorandum of decision memorializing the Commission's findings be filed with the Board of Selectmen and Town Clerk by Friday, September 25, 2015.

5) That the Commission recommend to the Town of East Windsor Board of Selectmen that Selectman Dearborn receive training on the following: Town of East Windsor Ethics Code, the Freedom of Information Act, and Robert's Rules of Order.

Discussion

After receiving the Complaint, performing the confidential investigation, and holding two public hearings on the matter, the Ethics Commission determined that there were seven alleged violations of the East Windsor Code of Ethics that were either raised in the Complaint or discovered during the Commission's investigation. Of the seven matters in which the Commission determined that probable cause existed to conduct a public hearing, the Commission decided that only two of those issues rose to the level of violations of the Town's Code of Ethics. Those matters that the Commission determined did not rise to the level of a violation of the Code of Conduct were as follows:

a) Selectman Dearborn's agreement with all American Waste Inc. to have Christmas trees delivered to his property for his mulching business. The Commission

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determined that this conduct saved the Town approximately \$380. The Commission also determined that Selectman Dearborn disclosed the arrangement to the Board of Selectmen at a public meeting and that the Board of Selectmen did not decide to seek public bids for the receipt of the trees or take any other action at that time.

b) Selectman Dearborn's Vote for Alan Baker to be appointed to Planning and Zoning Commission. The Commission determined that the facts did not support a claim that Selectman Dearborn's refusal to support Mr. Baker's appointment to the Town of East Windsor's Planning and Zoning Commission was an ethical violation. Selectman Dearborn disclosed that he was not supporting Mr. Baker for the post because he disagrees with Mr. Baker's opinion relating to a land use matter.

c) The Donald Wagner — Sports World dispute. Selectman Dearborn spoke openly in support of his friend Don Wagner in Mr. Wagner's litigation involving the Town and the Sports World entity. Selectman Dearborn disclosed the fact that he was friends with Mr. Wagner and he said that he felt that Mr. Wagner was being treated poorly by the Town, but Selectman Dearborn did not represent Mr. Wagner's interests in any fashion. The Commission, therefore, did not find facts indicating that Selectman Dearborn's conduct relating to his speech in favor of a constituent, Mr. Wagner, while a legal matter was pending, constituted an ethical violation.

d) Breach of Executive Session rules. Although there was testimony by a member of the Board of Selectmen indicating that Selectman Dearborn may have divulged confidential information pertaining to labor negotiations and litigation involving the Town after learning of such information as a result of his attendance at a Board of Selectmen Executive Session, Selectman Dearborn denied having divulged such information, and no direct evidence was presented demonstrating that Selectman Dearborn actually violated the confidentiality obligations of the Board of Selectmen's Executive Session. Therefore, the Commission could not determine that Selectman Dearborn violated the Town's Ethics Code by allegedly disclosing confidential information that he learned during Executive Sessions.

e) The Commission heard extensive testimony regarding Selectman Dearborn's boorish and unprofessional conduct at Board of Selectmen's meetings and while serving as a liaison to various boards and commissions. Selectman Dearborn apparently disrupts the meetings and acts in a way that has forced the Town's First Selectman to modify agendas in

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order to try to avoid Selectman Dearborn's disruptive behavior. While Selectman Dearborn's behavior appears to be loud, boorish and unprofessional, the Commission could not determine that it rose to the level of unethical conduct and a breach of the Town's Code of Ethics.

The Commission found that Selectman Dearborn's conduct in the following matters constituted unethical conduct in violation of the Town's Code of Ethics:

Scott Transportation

Selectman Dearborn admitted to many of the salient facts relating to this issue. On March 24, 2015, the Town's Assistant Town Planner, Robin Newton, sent a cease and desist letter to Selectman Dearborn's tenant, Scott Transportation, relating to its hauling operations. On April 7, 2015, at a Board of Selectmen's meeting, Selectman Dearborn openly discussed the cease and desist letter and admitted that Scott Transportation was his tenant. Selectman Dearborn acknowledged that he had a personal interest in the matter, but nonetheless, while acting in his capacity as a Selectman, Selectman Dearborn advocated against the Town and in favor of his tenant in relation to the Assistant Town Planner's cease and desist letter.

The Commission determined that Selectman Dearborn's conduct in connection with this matter violated Section 3.1 of the Town's Code of Ethics because Selectman Dearborn's financial relationship with his tenant, Scott Transportation, presented a conflict of interest, the existence and nature of which should have been disclosed in a written statement to the First Selectman prior to the Board of Selectman's April 7, 2015 meeting. Additionally, Selectman Dearborn's conduct was incompatible with the proper discharge of his official responsibilities to the Town due to his direct financial gain relating to the Scott Transportation matter.

With respect to this matter, the Commission also determined that Selectman Dearborn violated Code of Ethics Section 3.5 because he appeared at the Board of Selectmen meeting on behalf of a private interest and represented the private interest while an action or proceeding was pending against it by virtue of the cease and desist letter. Selectman Dearborn's independence of judgment and action in the performance of his conduct as a Board of Selectmen meeting was therefore impaired due to this relationship.

PS

Public Treatment of Employees

The Commission determined that Selectman Dearborn violated Sections 3.1a, 3.2 and 3.8 of the Town's Ethics Code when he publicly criticized and abraded Town employees Laurie Whitten and Robin Newton during public Board of Selectmen meetings. The Commission determined that Selectman Dearborn violated Code of Ethics Section 3.1.a because he had a conflict of interest when he made comments that disparaged Ms. Newton and Ms. Whitten, criticized their work performance and sought termination of their employment, because at the time that such comments were made, Selectman Dearborn was a litigant against the Town's Planning and Wetlands Agencies, and he violated Code of Ethics Section 3.1a, by failing to provide a written statement to the First Selectman identifying his conflict, nor did he recuse himself from discussion relating to the Land Use Department personnel.

Selectman Dearborn also never properly sought to have a discussion of Ms. Newton and Ms. Whitten's employment added to the Board of Selectmen's agenda so that the discussion of their employment could be held in Executive Session in accordance with the Freedom of Information Act. Selectman Dearborn also never sought to put the employees on notice that he would be discussing their performance at a public Board of Selectmen's meeting.

The Commission also determined that Selectman Dearborn violated Code of Ethics Section 3.2 by using and disclosing confidential information obtained in an official capacity, namely, confidential personnel information relating to these Town employees, while Selectman Dearborn participated in a public Board of Selectmen meeting.

Finally, the Commission determined that Selectman Dearborn violated Code of Ethics Section 3.8 by treating Ms. Newton and Ms. Whitten differently than other employees by not advising them that he would discuss their confidential personnel matters at a public meeting and not in an Executive Session, thereby depriving them of the opportunity to have advance notice of said discussions. The Commission determined that Selectman Dearborn's treatment of Ms. Whitten and Ms. Newton violated the ethical obligations he owed to the Town as a selectman.

Accordingly, the Ethics Commission moved to recommend to the Board of Selectmen that Selectman Dearborn be publicly censured for his conduct as described above. The Ethics Commission recommends that the public censure read as follows:

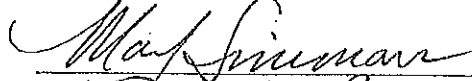
PL

The Town of East Windsor Board of Selectmen hereby accepts the recommendation of the Town of East Windsor Ethics Commission to publicly censure Selectman Steven A. Dearborn for his violations of the Town of East Windsor Code of Ethics Sections 3.1.a, 3.2, 3.8, due to his public comments and treatment of Town of East Windsor personnel and his discussion of confidential personnel matters involving specific Town employees at Selectmen's meetings without notifying those employees in advance and holding said discussions in Executive Session. Selectman Dearborn is also publicly censured for violating Sections 3.1 and 3.5 of the Town of East Windsor's Code of Ethics for his conduct on April 7, 2015 at a Board of Selectmen's meeting in which he discussed the Assistant Town Planner and Zoning Enforcement Officer's March 24, 2015 letter to Selectman Dearborn's tenant, Scott Transportation, without recusing himself from such discussion and without first providing the required written disclosure statement to the First Selectmen regarding his conflict of interest.

The Commission also recommends that the Board of Selectmen require Selectman Dearborn receive Ethics training, Freedom of Information training and Robert's Rules of Order training.

Respectfully submitted,

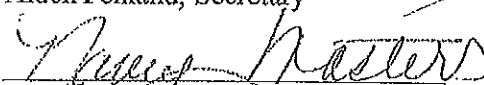
Town of East Windsor Ethics Commission



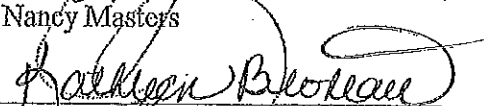
Mark Simmons, Chairman



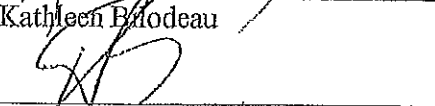
Alden Penland, Secretary



Nancy Masters



Kathleen Blodreau



Thomas Burnham

Dated this 23 day of September 2015.

Attachment D
PI

October 6, 2015

My report to the Board of Selectmen

The Building Committee approved the contractor for the Middle School roof project and the notice to proceed was issued on September 10. The roof should be completed within 30 days of the notice to proceed with projected completion of the Middle School Nurses' Station renovation completed sometime this month.

On another building project, site work has begun on the 4 modular classrooms on the south side of Broad Brook School. Also I spoke with Project Manager Jim Giuliano. He reported that the classrooms are currently in the design phase and that the current expected completion of the project is the Summer of 2016.

Good news on the economic development front:

- ~ Sustainable Building Systems ("SBS"), the new business that purchased the former STR (aka mushroom factory) building, continues to make progress to opening their facility. I received notice from the DEEP that their application related to the Clean Air Act has been approved. I know that application was not an easy one to meet the criteria and get through the process. This brings SBS one step closer to their business beginning operations. Good news.
- ~ The new Noble gas station on North Road is well underway and the new gas station on the former East Windsor Diner site has also begun.
- ~ I spoke with one of the business partners for the Four Season Farms. He said he expects Four Season Farms will be owners of the Skylark property within 60 days.

The Senior Center will be holding its first Health Fair with flu shots, hearing, blood pressure, blood sugar and balance assessments this Thursday October 8th. They will also be hosting a "Meet the Candidates" event on October 28. I don't know the details of that yet. When I hear, I will be sure you all are informed.

Regarding the casino Request for Proposals (RFP) process – the form was released last Wednesday. I have attached a copy for your information. I've also asked that it be forwarded to the Economic Development Commission. Roger O'Brien, Laurie Whitten and a couple of other people continue to work on the best way for our community to address this complex possible opportunity.

CCM is introducing a couple of new services that I think will be extremely beneficial to East Windsor. One is a "grant finder" service at minimal cost to East Windsor that will allow us to find any Federal, State, corporate or non-profit grants for community needs. Another is service that will examine a member community's utility expenses and recommend any cost savings. Utilities encompassed in the service include electricity, gas, desk and cell phones, etc. I have already implemented corporate discounts and consolidated a number of these but I expect this service will find additional savings.

I was made aware of a grant opportunity for up to \$100,000 that the Broad Brook Dam project may qualify for. It won't pay for all of the project but possibly close to half.

The Capital Improvement Planning ("CIP") Committee has begun hearing presentations from department & agencies recommending CIP projects for funding in the 2016-2017 budget.

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You probably have heard about the "crumbling foundations" issues in the northeastern part of the State. While many of our neighboring communities are dealing with these foundation problems, I have checked with our Building Official and his reply was, in part, "While there are many homes I have had reason to enter into a basement for inspections of one type or another, specific to the identified time frames associated with the problem, I've not observed this situation." He has advised that "the best course of action for now is to not cause an alarm where it does not exist, be up to date on where the issue is in the pipeline, and if a situation does exist, address it at that time." I also have not received any reports of the issue in Town however will continue to watch progress on the matter closely.

With the additional funding approved for better communication to the residents, I have begun collecting sample newsletters to see if we can reinstate that. Funding for that was cut out of the budget many years ago but I think it may be a good way of addressing the complaint that we've all heard . . . that the residents don't feel they receive enough information from the Town. More to follow.

The clerical contract negotiations session of September 30 has been rescheduled to Monday October 19. We still have no new date for the dispatchers' union negotiating session that was scheduled for last Tuesday.

Finally, it's a busy time of year for weekend events. Since we last met, I attended the 4 Town Fair which always has a great parade and country fair events. The following Saturday was Community Day, another great annual event. This year's seemed to me to be better attended than the last few but I'm sure Jim will have more to report on that. The annual Barktoberfest was this past Saturday and was once again very successful. I was told that approximately 230 people attended. Great news, great event! Also this weekend was an open house at the Broad Brook Library. It's a great little town treasure; stop by if you've never been there. Next weekend is a rededication of the Broad Brook Library in conjunction with celebrating the new sign they recently installed. Also the Youth Center will be opening. Finally throughout the month, the Frightfest is at the Trolley Museum.

Enjoy these beautiful days of October!

Danese Menard

Attachment E
P1

Selectmen's report - October 6

The Permanent Building Commission met on 9/8 to discuss the roof repair project at the East Windsor Middle School, which continues to progress, and may end up under budget.

The Planning and Zoning Commission met on the same night. The commission discussed LADA's plans for the revitalization options under consideration for the Warehouse Point Village district. They started with an initial review of current zoning configurations within the district to determine whether the zoning as it makes sense. They also began the discussion of what would be ideal, allowable and permitted uses within the village district as a means of planning for future development. As the conversation continues over time, it could result in some substantial changes to zoning regulations for new construction projects.

The commission granted extensions of 5 years for site plan approval and 90 days for filing of mylars to Bank of Western Massachusetts and West River Farms, respectively.

The commission considered an administrative site plan approval to allow additional parking at the East Windsor Sports Dome, commonly known as "The Bubble". They will provide a larger master plan, but wanted to add about 60 spaces for available parking before the snow flies.

On the 22nd, the PZC met once again. They conducted a public hearing for Paul's Package Store to relocate to the other side of the road in what was recently the United Bank building in Broad Brook. The commission voted to approve the application that night. The commission also voted to approve a site plan for a 2,100 square foot addition to Maine Fish Market. They continued work on the POCD, the Town's ten year plan.

Community Day on September 26 was a great event. Thank you to the folks who organized it. There were several hundred people there, and I heard some great ideas about how to continue to grow the event next year.

On the 27th, I attended the Elderly Commission meeting. They did not have a quorum, but I stayed for a very nice round table discussion. The commission members had an informal discussion (due to a lack of a quorum). They talked about the available budget for the Elderly Commission, meeting dates and times for next year, possible projects to be considered, etc. they will be meeting on February 22, March 28, April 25, September 26 and October 24. They are also working to draft their submission for the Town's Annual Report. Human Services Director Kristen Bouchard drafted a submission for consideration and commission members had no changes. They remain focused on developing projects for our senior community in the next year.

They are looking at the current membership to determine ways of improving commission participation.

The Senior Center will be hosting a flu clinic with health care vendors on October 8th from 9am-12pm. This is an opportunity for folks to get their annual flu shots, as well as visiting with some different health care vendors. The health fair is open to all.

The Permanent Building Commission met again that same night, but I missed that meeting due to the Elderly Commission meeting at the same time.

Over the last several weeks I have had more of an opportunity to chat with constituents, and have heard some really good ideas. As an example, could we ask the Police department to randomly post a speed trap along Ellsworth Road during commuting hours for a few weeks? People do tend to speed at unsafe speeds through there.

I've also heard from some folks expressing concern about the road repair on Depot Street. Apparently the response to complaints submitted to public works has been very slow. Would it be possible to ask DPW to look for ways to better respond to calls from constituents?

Lastly, the state did issue cuts to PILOT funding in the wake of the projected budget shortfall. This is another reason for the town to be on guard in terms of the state police training facility. Not only is this project not a good fit for the

P2

proposed site, but now it looks increasingly likely that the town wouldn't even be able to count on the state to meet its PILOT obligation if it were to acquire the property.

Tonight the East Windsor Girls Soccer Team tied Canton, bringing their record to 5-1-2. They are now one win away from making the tournament for the first time since the program started, in 1992. They have a night game scheduled for next Friday, 10/16, at Windsor Locks. The boys team will be playing immediately after the girls, under the lights at Southwest Park. Both games should be great, so come out and support both of our great teams.

Respectfully submitted,

Jason E. Bowsza
Deputy First Selectman

9/4 BBFD 700

Blinds for the senior center are on order

Fire school August 27 at the Bradley Fire School – cost of materials \$400 and must be done 4 times per year.

20 year old boat valves are leaking – CIP project combines with the SUV?

2nd annual car and bike show Saturday September 5th at the Reservoir (it was a great day and lots of beautiful cars)

Part time firefighters are working very well – they found low battery on a few SCOT packs, there were replaced (much easier there then at a fire)

9/9 Abby's Helping Hand - 600

Ladies Brunch November 21st from 1000 – 2 at Nutmeg.

Police Commission – 700

The Police department has received a grant for \$70,000. This is to be used for crosswalks, school zones painting lines at the HS and NS

Crime is down nationally. Locally it is down 28%. However larceny is up (attributed to tire and hub cap thief and Wal-Mart). 4 frontline cruiser cameras have been ordered. Chief and DC are waiting on the technology for body cameras to improve. The grant will be available for 2 to 3 years.

Board of Education – Jim to report, there is a lot going on there

9/11 Ad Hoc Committee for the Opposition to CSP training facility 700

NEW t-shirts are available along with signs – copies attached

9/14 EDC – 600 Jim to report, Hydroponic tomato farm seems to be delayed

9/14 WHPFD – 700

Special district meeting Wed 9/16 need 15 property owners for a quorum

FSM – 1 month figures shows that they will be under budget for this program by \$12,000

(WHPFD has to be paid at the \$15.00 per hour instead of \$12.00 per call)

Pig Roast is October 17th at FD #1 from 200 PM

Station 2 had an issue when they did a dry system; the compressor kept running after the tech left – fixed the next day.

Jill attended a grant writing course – bunker gear to be covered 100%

Maine Seafood expansion. Starting inspection of multi family and hotels

9/16 WHPFD 700 – only 2 property owners showed up, no quorum. The district lines stay as they are

Oak Street Extension does not have public service (I was questioned by residents who live there – I had no answer)

9/21 Housing Authority – 700

Vacancy report only one available and will be filled by 10/01/2015. Linda Collins, Marisa, Marie attended the annual Conn Nahro meeting (workshops for public housing. Quarterly report

for South Rd will be forwarded to the BOS. Grant application for Bingo and Yoga Chair classes has been submitted. Notification of the grant will be another couple of weeks

9/23 CIP 0700

Set up schedule of meeting: Wed 9/30 @630, Thursday 10/8 @ 600, Thurs 10/15 @ 630, and Wed 10/28 @ 600 – all at the town hall meeting room

9/29 Special joint meeting BOF and BOE 700

For the third year the BOE budget has come in with in cumbered debt with out proper back up to show the order was received (\$800,000).

Special meeting BOS 800

Town audit is good 21 of 26 departments have been sent to the auditor. BOE – needs to be reconciled, WPCA all balanced

9/30 ~~EWCC~~ ^{EDS} – celebration of new and expanded businesses 530
CIP - 630

BBFD – Chief Arcari request for a duty officer SUV and rescue boat - \$80,000 over 2 years. EW Police Department – Chief DeMarco requested 21,790 for a new server and 2 cameras, and routine replacement of older vehicles 3 next year, 2 the following and so on

10/01 BBFD 700

Chief discussed his request thru CIP. Fire Prevention week is next week for BBES – looking for hats. AC timer needs to be replaced at the Senior Center, blinds have been ordered

10/05 WHPFD 700

Added agenda item was the tax district. After 2 meetings for effected residents no quorum was established, stay with the existing line. Wed 10/07 Carl Landolina, Mike Balf and Lou Flynn will meet with Denise Menard, along with the Assessor, Treasurer and Tax Collector. Mike will call a special meeting if required in 2 weeks. Sale of the forestry truck was approved for \$4500.00 – deposit this money in equipment contingency fund. Treasurer – bottom line is we are thru the first quarter and expenses should be 25% spent. Fire Prevention week is here, the WHPFD will have an open house Sunday 10/11 from 1000-200. Sherry Sarra resigned as of November 1 – she is moving out of the district. Jill is working on grants, she came across one sponsored by Wal-Mart for AED's (FEMA website). Might be something the town could look into for Schools, Police Department, Emergency Management, and Athletic Fields and so on. Fire Station 2 needs a new dialer for the alarm system, along with some paint and kilz for the walls. Check the oil in the underground tank and give it away.

Regards.
Dale Nelson

26 Community Day

16/3 Banktoben Fest