

# TOWN OF EAST WINDSOR BOARD OF SELECTMEN

## REGULAR MEETING

Thursday, September 6, 2018

7:00 p.m.

Town Hall Meeting Room  
11 Rye Street, Broad Brook, CT. 06016

### Meeting Minutes

\*\*\* *These Minutes are not official until approved at a subsequent meeting*\*\*\*

#### Board of Selectmen:

Robert Maynard, First Selectman  
Steve Dearborn, Deputy First Selectman  
Jason Bowsza, Selectman  
Andy Hoffman, Selectman  
Charles J. Szymanski, Selectman

**ATTENDANCE:** *Board of Selectmen, Present:* Robert Maynard, First Selectman, Andy Hoffman, Selectman, and Charles J. Szymanski, Selectman.  
*Board of Selectmen, Absent:* Steve Dearborn, Deputy First Selectman, and Jason Bowsza., Selectman.

**SPEAKERS:** *Members of Boards, Committees, Commissions, or Town Entities:*  
*250<sup>th</sup> Anniversary Committee:* Rebecca Talamini, Chairman, Tom Talamini; *American Heritage River Commission:* Barbara Sherman;  
*Broad Brook Mill Remediation Committee:* Jessica Bottomley, Chairman, Tom Talamini, Keith Yagaloff.

*Public:* Paul Anderson, Marie DeSousa, Bill Loos, Bob Lyke, Richard P. Pippin, Jr.

**Press:** No one from the Press was present.

#### TIME AND PLACE OF REGULAR MEETING:

First Selectman Maynard called the Meeting to Order at 7:05 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

#### PLEDGE OF ALLEGIANCE:

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Everyone present stood to recite the Pledge of Allegiance.

**AGENDA APPROVAL:**

**MOTION:** To APPROVE the Agenda as presented.

**Maynard moved/Szymanski seconded/DISCUSSION: None**

**VOTE:** In Favor: Unanimous (Maynard/Hoffman/Szymanski)

**ATTENDANCE:** See page 1.

**PUBLIC PARTICIPATION:**

**Marie DeSousa:** Mrs. DeSousa referenced a handout provided by First Selectman Maynard regarding the “Draft East Windsor Casino Fund Ordinance”; Mrs. DeSousa indicated the Casino Fund Ordinance wasn’t specifically listed on the Agenda. She felt this issue was of significant importance to the public; she cited a previous meeting which was held to vote on a previous ordinance which was attended by many people. Mrs. DeSousa felt this ordinance shouldn’t be discussed without specifically being listed on tonight’s Agenda. First Selectman Maynard noted discussion of the Casino is an Agenda item this evening; his intent was to discuss the Casino Fund Ordinance at that time. Discussion can include input from the public.

**Bob Lyke:** Mr. Lyke noted the Broad Brook Mill Site Remediation Committee is listed on the Agenda this evening. Mr. Lyke reported that this Committee had a lively meeting a couple of weeks ago. He encouraged the Board to work with them and support them. He noted someone posted on Facebook that this was a good opportunity for the Town to come together in the best interest of the Town. This isn’t an issue for the east vs. the west, or the Republicans vs. the Democrats; it’s one way we can come together in the best interest of the Town. He didn’t know of anyone that hasn’t spoken against how they/UTC would like the remediation of the Mill property taken care of. It’s a good opportunity for you guys to get behind them. Mr. Lyke felt it will come down to the almighty dollar; it may be necessary to get legal advice. This is extremely important to the Town.

First Selectman Maynard reported he also attended a couple of PZC (Planning and Zoning Commission) Meetings where discussion on items occurs only in the beginning but he felt discussion could occur during discussion of the topic as well as people may have comments they would like to contribute. He indicated he would encourage open discussion during both the Casino issue and the Mill issue.

**Bill Loos:** Mr. Loos reported the day after the previous Broad Brook Mill Site Remediation Committee Meeting he visited Environmental Services in South Windsor and got a quote on removing the contaminated material. They’re the company that removed the mercury (when the Mill burned) so they’re familiar with the site. Within two days Environmental Services provided

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him with an estimate of \$455,000 to remove the material from the Broad Brook Mill site, take it on their trucks, cart it out, and fill the hole in. Mr. Loos suggested this \$455,000 is a minor amount compared to what UTC is proposing to do. Selectman Hoffman questioned if Mr. Loos could get a price on UTC's proposal – dig it up and pile it in the consolidation area? What if we used UTC as a service provider? He cited the Committee is struggling with getting a price quote from UTC for that work. Mr. Loos reported the Environmental Services wants to do the complete job; they don't want to be responsible for work being done by another party. That's the way they handled the removal of the mercury from the UTC property. Selectman Szymanski thanked Mr. Loos for acquiring the quote.

**Paul Anderson:** Mr. Anderson suggested if Environmental Services will do the work for \$455,000 and there is \$1.3 million of our money available; he didn't feel there is an issue. Selectman Hoffman noted the money is taxpayer money. Mr. Anderson concurred. He felt the Town needs to tell UTC to take it out; we've made it very clear we don't want it in a pile under any conditions, take it away. This price is cheap. Taxpayer money can cover it. End of story; it doesn't cost them a dime; they have no excuse.

**Marie DeSousa:** Mrs. DeSousa felt the excuse will be the responsibility for the liability of the removal. If we renege on having UTC not remove it and we take on that responsibility for someone digging into that pile. She didn't feel the Town wants that responsibility. Mrs. DeSousa suggested let UTC pay for it. Mrs. DeSousa felt it should be easy to get the price difference between the "455" and what UTC is saying it will cost them to move it from point A to point B; just subtract the two numbers. That should be in their proposal. Selectman Hoffman indicated that number hasn't been provided.

**Paul Anderson:** Mr. Anderson felt his comment was misunderstood. His intent was not for the Town to do anything; he wants UTC to hire Environmental Services to do the job and pay for it. There is a price, and the money is available. It's taxpayer money; it's not their money; they have nothing to stand on as to why it doesn't leave. Regardless of the cost of piling up, it doesn't matter anymore. When it's that cheap and you already have the money you do the job. We don't do it; they do it. It's their project; it's their responsibility, but the means are available, the money is available. It's over. If they don't want to do that then the Town should hire an attorney, because that's ridiculous.

First Selectman Maynard called for additional audience participation. No one else requested to speak.

**APPROVAL OF MEETING MINUTES:**

**Regular Meeting Minutes of August 16, 2018:**

**MOTION: To Approve the Regular Meeting Minutes of the Board of Selectmen dated August 16, 2018.**

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**Maynard moved/Szymanski seconded/**

**DISCUSSION:** Selectman Hoffman noted Deputy First Selectman Dearborn has been identified in discussion on page 5, paragraph 2 as First Selectman Dearborn.

**AMENDED MOTION:** To APPROVE the Regular Meeting Minutes of the Board of Selectmen dated August 16, 2018 as AMENDED:  
Page 5, NEW BUSINESS/A. Discussion and Approval of Revision to the Town Code of Ethics Ordinance, Paragraph 2, line 4, “...the work in the future because he’s a Selectman. ~~First Selectman Dearborn~~ Deputy First Selectman Dearborn reported.....”

**Maynard moved/Szymanski seconded/DISCUSSION:** Nothing further

**VOTE:** In Favor: Unanimous (Maynard/Hoffman/Szymanski)

**Special Meeting Minutes of August 22, 2018:**

**MOTION:** To APPROVE the Special Meeting Minutes of the Board of Selectmen dated August 22, 2018 as presented.

**Maynard moved/Hoffman seconded/DISCUSSION:** None

**VOTE:** In Favor: Unanimous (Maynard/Hoffman/Szymanski)

**Special Meeting Minutes of August 24, 2018:**

**MOTION:** To APPROVE the Special Meeting Minutes of the Board of Selectmen dated August 24, 2018 as presented.

**Maynard moved/Hoffman seconded/DISCUSSION:** None

**VOTE:** In Favor: Unanimous (Maynard/Hoffman/Szymanski)

**Special Meeting Minutes of August 29, 2018:**

**MOTION:** To APPROVE the Special Meeting Minutes of the Board of Selectmen dated August 29, 2018 as presented.

**Maynard moved/Hoffman seconded/DISCUSSION:** None

**VOTE:** In Favor: Maynard/Hoffman  
Opposed: No one  
Abstained: Szymanski)

**COMMUNICATIONS:**

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First Selectman Maynard reported the 4-Town Fair will be held September 13<sup>th</sup> through the 16<sup>th</sup> (at 56 Egypt Road, Somers). First Selectman Maynard noted the Town Hall has run out of fair booklets but information is available at [four.town.fair@snet.net](mailto:four.town.fair@snet.net).

**BOARDS AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS/A.**

**Resignations:** None.

**BOARDS AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS/B**

**Reappointments:** None.

**BOARDS AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS/C. New**

**Appointments:** None.

**UNFINISHED BUSINESS/A. East Windsor's 250<sup>th</sup> Anniversary Committee Report:**

Rebecca Talamini, Chairman of the East Windsor 250<sup>th</sup> Anniversary Committee, approached the table.

Ms. Talamini noted signs are appearing around town advertising Heritage Day (September 22<sup>nd</sup>) and the burial of the Time Capsule the following day (September 23<sup>rd</sup>). Ms. Talamini reported collection boxes for items to be included in the Time Capsule are located at the Town Hall, the Broad Brook Library, and the Warehouse Point Library.

Approximately 60 groups have signed up to participate in the Heritage Day Parade. The Parade will leave from East Windsor Park/"the Res" on Reservoir Avenue and proceed to the Harrington property at the corner of Main Street and Route 140. Judging for six awards will be located at the Broad Brook Library. The Stray Dogs will be entertaining at the Harrington property.

Tom Talamini noted they are still looking for volunteers to assist with the events.

**UNFINISHED BUSINESS/B. Casino:**

David Cappiello, representing MMCT, apologized for missing previous Selectmen's Meetings but he had been on a family vacation. Mr. Cappiello reported MMCT continues to deal with the court case, and has joined with the State, regarding the Department of the Interior's failure to publish their approval of the gaming status of the Mashantuckets in the National Register. Mr. Cappiello noted while he isn't personally involved in the court case he believes, in the end, MMCT will be successful. He noted the only people being hurt by these actions are the people of Connecticut regarding job losses and revenue. MMCT had originally hoped to be almost operational by now. Selectman Hoffman questioned if the Mohegans have dropped out of the lawsuit, as their approval was published. Mr. Cappiello concurred that the Mohegans issue was settled May 1<sup>st</sup>. He noted the documents are identical; the Mashantuckets documents just identify a different name. Selectman Hoffman questioned that nothing would go forward until the lawsuit is settled? Mr. Cappiello cited the law states that the approval of the casino is based

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on the Department of the Interior's approval. Selectman Szymanski questioned the shovel date after settlement of the lawsuit? Mr. Cappiello suggested he felt it would be almost immediately. Discussion continued regarding the process going forward.

First Selectman Maynard opened discussion on the "Draft East Windsor Casino Fund Ordinance" (*See Attachment A*). He noted the availability of copies of the proposed ordinance on the table for the public. First Selectman Maynard noted the ordinance is related to the setting up a separate fund to hold the casino impact money received from MMCT fifteen months prior to the casino opening, and then annually thereafter.

First Selectman Maynard reported the intent is for the Town to have approval of this Ordinance on the November 6<sup>th</sup> ballot as a separate question from the election choices. He has discussed the process with the Town Clerk, and is working with the Registrars of Voters as well. He noted there will be two ballots, one for the State election candidates, and one, with a yes or no choice, for the Ordinance. The Ordinance ballot would be a different color. Property owners and resident voters would be eligible to vote but would be processed separately. First Selectman Maynard reiterated the Ordinance creates a separate fund for monies associated with the impact from the casino which would be related to additional costs of police services or emergency services. It's a way of accounting for, and distributing, the money associated with the casino. The Casino Impact Fund would be separate from the General Fund.

**Marie DeSousa:** Mrs. DeSousa noted this election also includes candidates for State Representatives. You have two districts on the other side of town. Mrs. DeSousa questioned that there would be a third document for those voters to deal with? First Selectman Maynard replied affirmatively, noting the document will be a different color and will be easily identifiable.

**Bob Lyke:** Mr. Lyke questioned if there is any change in the estimated income? First Selectman Maynard noted the five year agreement regarding the property value of the casino which should net the Town approximately \$ 5 ½ million. He noted the collection of taxes is based on the certificate of occupancy of the casino, which may take as much as two years to complete construction. Mr. Lyke felt the more information we can get in the Ordinance the better, as it might have an effect on other legislation. First Selectman Maynard reiterated he's working on the process with the Registrar of Voters.

**Tom Talamini:** Mr. Talamini questioned if there will be any public meetings before this so the people can understand the Ordinance? First Selectman Maynard replied affirmatively.

**Keith Yagaloff:** Mr. Yagaloff clarified that it's advantageous to have a separate referendum occurring at the same time as the election referendum but, because it's *a separate ballot* the Town wouldn't be following the requirements of the election ballot. The Town is doing a separate referendum ballot running alongside the election ballot. This is a proper way of doing this. First Selectman Maynard concurred. The Town would be holding a Town Meeting, which would then go to Referendum. Discussion continued regarding the process. Mr. Yagaloff cited this process allows for more public debate regarding the pros and cons of the Ordinance; it's a

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more open process. First Selectman Maynard noted by making the vote on the Ordinance on the same day as the election it makes it more convenient for the people.

**Bob Lyke:** Mr. Lyke would like to know the process of the “mylars and drawings” regarding the casino’s application for the building process. Are they 25% done? First Selectman Maynard noted it will take a month to review the construction drawings to make sure they comply with the State codes. People are working on the project continually.

**Tom Talamini:** Mr. Talamini questioned the status of the State Traffic review; he felt they’ve gone through the local boards. First Selectman Maynard indicated he’ll ask for an update at the next PZC Meeting.

**Paul Anderson:** Mr. Anderson suggested posting the Ordinance on the Town website would be advantageous for the public. First Selectman Maynard concurred; the Ordinance could be added to Facebook as well.

**NEWBUSINESS/A. American Heritage River Commission discussion of grant funding:**

Barbara Sherman, Secretary, American Heritage River Commission, joined the Board. Mrs. Sherman advised the Board she has completed the paperwork for two grants received by the American Heritage River Commission, 1) a \$5,200 grant received in 2016 for maintenance of trails, and 2) \$85,000 received to purchase the walkway which has been installed within the original Melrose Bridge. The original grant amount was \$127,000; the Town received 80% or \$85,000 which was the cost of the walkway, the Town provided a 20% match of \$21,250 which was donations of gravel, in-kind services, such as assistance of the staff of the Public Works Department, and volunteer hours.

Mrs. Sherman advised the Board there is new money available; people who applied last year were encouraged to apply again. The Commission members would like to do a Braille Trail, which would include signs permanently installed along the trail, and installation of a permanent handicapped accessible portapottie. They also have more trails to complete on the west side; they may need to build a six foot wide bridge as State parks must be available for use for horseback riding. Selectman Hoffman asked if there was more work to be done if additional money was available. Mr. Sherman indicated the Commission members would like to build a handicapped fishing area. Getting over to the west side is a longer distance so they might have to apply for additional grants in the future.

Mrs. Sherman also noted the Commission’s Charter said they should look for properties so that people can have recreational opportunities. While involved in a work party from the area of the filter beds to the Sabonis property (known as Sabonis Landing) which was donated to the Town two years ago the members became aware there is additional acreage owned by Barbara Sabonis adjacent to the donated property which she would be willing to sell. The adjacent property includes 16 acres; the price discussed was \$16,000 - \$1,000 per acre. Mrs. Sherman indicated she and First Selectman Maynard have discussed this; she didn’t know if there is any Open

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Space money available. First Selectman Maynard noted this parcel is also adjacent to the Scantic River. Tom Talamini, also a member of the American Heritage River Commission, suggested the parcel's location would make it a great linear park. Selectman Hoffman questioned if the property would have to be cleared by DPW, or would it be left wooded? Would the Commission create more walking trails? Mrs. Sherman cited that Commission members did the original clearing on Sabonis Landing; it's now mowed by Ed Filipone. Selectman Hoffman cited that in the past the Town crew had cleared some of the area at the filter beds; DPW might be willing to assist with this piece. Mrs. Sherman noted that a previous Commission volunteer, Ray Jones, continues to visit the filter beds and constantly picks up trash. Tom Talamini noted the trail in Melrose is used every day by people walking themselves and their dogs, or mountain bikers. Mrs. Sherman noted that when they complete the trails on the west side they will connect with the trail at Canyon Ridge (The Mansions).

**NEW BUSINESS/B. Broad Brook Mill Site Remediation Committee presentation of recommendations for further action regarding the Broad Brook Mill:**

Jessica Bottomley, Chairman, Broad Brook Mill Site Remediation Committee (BBMSRC), joined the Board. Ms. Bottomley reported the BBMSRC held a Special Meeting on August 21<sup>st</sup>; she thanked the Selectmen who attended and also the public who attended and offered a lot of good input. She noted the BBMSRC has been tasked with looking at the Broad Brook Mill site and the plan that's been put in place. They know the site is contaminated; there is a large area of coal ash and a smaller area with higher concentrations of materials, and a plume of contamination in the groundwater under that site. We know that the current Remediation Action Plan, the RAP, calls for putting a cap on most of the site and taking some of the higher concentration materials, some of the hot spots, and removing a small portion of material off site, while moving another area of contaminated material to a containment site behind the Congregational Church, leaving it there, and capping it as well. Selectman Szymanski suggested that would be creating a toxic waste dump on the site. Ms. Bottomley reported the Committee was trying to find a compromise from UTC as the Committee doesn't want any contamination in the center of Broad Brook. It isn't good for future development, or for the Town. They'll push their opinion that other towns have been similarly developed but the Committee doesn't want that.

Ms. Bottomley reported that Bill Penn, representing UTC, and Rob Robertson, representing DEEP, also attended the August 21<sup>st</sup> Meeting, and we learned at that meeting that nothing is going to change. The Committee asked at that time if the 1,300 cubic yards of contaminated material being moved over behind the Church could be removed offsite. UTC and DEEP are continuing with their original remediation plan. Ms. Bottomley reported the Committee heard from residents at that meeting that they don't want that material to stay on site; they don't support the UTC plan. The BBMSRC wants to look at other avenues to stop the UTC plan or keep I from going forward and present those options to the Selectmen. The Committee also wants to encourage the Town to continue to pursue private sector development of the Mill; UTC seems open to that concept. The Committee is hoping to utilize organizations such as CRCOG



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(Capital Regional Council of Governments) and the Main Street Initiative to educate the townspeople and get information out to the public about the remediation proposal. Ms. Bottomley reported UTC will be holding a public meeting in November or December; the BBMSRC will need to educate the public prior to the UTC meeting so the public can contribute comments and make their voices heard. DEEP must *consider* the public's comments. Ms. Bottomley suggested the BBMSRC wants to make the plan information available on the Town website. She noted someone had also talked of printing the information out and making it available at the Broad Brook Library and the Warehouse Point Library; First Selectman Maynard indicated his office could assist with that option. Ms. Bottomley suggested the Committee would like to put their report from their consultant on the Town website as well. Ms. Bottomley reported the Committee wants to continue to work with folks in town that have reached out to them to make their information available so the people know this is happening and can be armed with their comments when they attend the UTC/DEEP meeting so the people who are the decision makers. It's important to have our voices heard. Ms. Bottomley indicated the Committee wants to continue to relay their information to Bill Penn, of UTC, who is present this evening, and DEEP as there is State money involved in this remediation plan. Ms. Bottomley noted they will continue to provide their information with the State Historic Preservation Office, which is involved in the review process as the Mill is on the National Register. Ms. Bottomley anticipates the State Historic Preservation Office review – a Section 106 meeting - will probably occur after the UTC/DEEP public meeting. Ms. Bottomley suggested the Section 106 meeting is handled a bit differently. Both the East Windsor Historical Society and the East Windsor Historic Preservation Commission will be involved in that process; people can offer comments as well, and the Committee will continue to act as a liaison to relay all of this information to UTC and DEEP so they understand it's not just the environmental impact but the historical impact of the plans they have in place. Ms. Bottomley indicated that UTC and DEEP would be contacting First Selectman Maynard regarding their public meeting.

Selectman Szymanski cited his frustration; he can't understand how they think they can build a toxic waste dump in the center of Broad Brook. Number one, they don't have a permit. Tom Talamini cautioned referencing the area as a toxic waste dump as that's not what UTC/DEEP call it. Marie DeSousa suggested calling the area a toxic waste dump will keep people away from redevelopment in town. Discussion continued regarding the semantics of the definition of the contaminated area, and the semantics of the relocation of material within the site rather than bringing in toxic materials negates the concept of creating a toxic waste dump.

First Selectman Maynard cited the Town now has a price of \$455,000 to truck these volatile chemicals out of here - 1,300 cubic yards of material. He noted the State has set aside \$3.9 million to assist with the cost of remediation; maybe \$2.7 million has been spent. Ms. Bottomley reported DEEP has said that one-third of the State's money was spent up front, one-third will be spent during the middle of the process, the remaining one-third is still available. First Selectman Maynard suggested the remaining one third could be used to remove the material off site. Ms. Bottomley noted the Committee has been pushing for that cost; she felt that was an important question to be asked of UTC and DEEP. Selectman Hoffman indicated the Committee has asked that question as well, but they get no answer. UTC has a remediation plan together which

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they plan to execute in 2019 but monitoring the site will go on forever and eat up the remaining \$1.3 million in State funds. Selectman Hoffman suggested UTC is unrelentingly committed to their plan. Selectman Szymanski felt something else was going on with this issue. He suggested DEEP's function is solely to protect the citizens of the State of Connecticut and that's not what this looks like. He cited frustration for the Committee to not get the answers to these basic questions. The Town should have some investigation; the public needs to know what that is. First Selectman Maynard suggested the Town needs to get involved; Selectman Hoffman suggested the Town needs to go to Representative Chris Davis and Senator Tim Larson for help. Ms. Bottomley suggested the Committee isn't stopping their efforts; they will reach out to the State representatives. This is not only an issue for Broad Brook but it affects the whole Town as well; it affects our economic development; it goes against the Town's POCD (Plan of Conservation and Development) and what everyone wants for the Town; no one is divided on this Town issue. Discussion followed regarding grass root efforts to halt the remediation plan. Selectman Szymanski recalled the efforts of townspeople from several communities joining together to fight a State proposal for a nuclear waste dump in the 80s. First Selectman Maynard suggested the Town could have a vendor booth at Heritage Day and have a petition available for signatures. Ms. Bottomley noted that type of action has already started by townspeople who are concerned.

The following residents requested to speak.

**Keith Yagaloff:** Mr. Yagaloff suggested that semantics aside regarding what the material is called the BBMSRC was told that if they put this material on another property it would be illegal because the material is toxic and dangerous. So it would be illegal to move it down the road to another property but they have this loophole that allows them to do this illicit activity on the same property. So the town will bear the brunt of them moving this toxic and carcinogenic material and stockpiling it on the Broad Brook Mill property. First Selectman Maynard cited Environmental Services' quote to remove the material for half a million dollars. Mr. Yagaloff reiterated that the cost quoted by Environmental Services doesn't include the delta of building the cap and the monitoring. Mr. Yagaloff cited they can take it to a legal landfill but UTC can dump it back on their own property as well.

Mr. Yagaloff suggested that as a community we shouldn't argue over the semantics. People shouldn't be frightened about the process; we should demand the change.

**Dick Pippin:** Mr. Pippin noted that if that toxic garbage goes out of there the monitoring will disappear. The more they dig up the bad material the pile will get bigger because they're digging up the good material with the bad material. Just take it to a legal landfill and dispose of it properly. Maybe it's time to hire an attorney.

**Paul Anderson:** Mr. Anderson suggested the quote from Environmental Services included filling in the hole that would remain from removing the material. This is the simplest way for this to go away, and everybody wins. Then there will be nothing to monitor for 40 or more

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years. Overall, is there a cost savings; yeah. Could the taxpayer money be used for that; Mr. Anderson felt it could.

Selectman Hoffman reiterated that if the material isn't taken out it will be monitored forever, and the Town won't know what they could be dealing with in the future. He cited the Connecticut Water Company wells just down the road from this proposed activity. Selectman Hoffman cited this is not the UTC he knew; if there was a problem in Windsor Locks that Hamilton could help with they helped them. This is not a big problem for that corporation; UTC is unbending with this remediation plan. Selectman Hoffman noted he wrote a letter to an individual at UTC explaining the situation; he's not received a response. This company isn't a measure of the company he knew.

**Marie DeSousa:** Mrs. DeSousa felt if DEEP has approved the plan then they're done. She felt the Selectmen should go to DEEP and question why they approved it. Selectman Hoffman felt it lies with UTC; if UTC said they wanted to do it better DEEP wouldn't object. Selectman Hoffman felt the town is getting minimal treatment, and we need better than that.

**Bob Lyke:** Mr. Lyke recalled that on two occasions during the August 21st meeting that Mr. Robertson, of DEEP, said he felt like he was defending these people. Mr. Lyke indicated he hasn't heard one person/taxpayer in East Windsor say this proposal is ok.

**Bill Loos:** Mr. Loos noted that Environmental Services moves hazardous material around the country all the time; they're a national company, not just the location in South Windsor. They want to do the work themselves and be responsible for it; that's what they did when they removed the mercury after the mill fire; they're familiar with the site. They responded to a rollover on North Road recently within minutes with five trucks, removed the material from the truck, and took the material out of town. Mr. Loos suggested the price he was quoted is a standard price per cubic yard.

**Paul Anderson:** Mr. Anderson felt it was important for people to understand the DEEP meeting is not a public hearing; it's a public information meeting. DEEP is telling you what they will be doing. Their goal is to inform the people what they will be doing; what they've decided. The DEEP meeting won't be a situation where people can give input; it will be too late; they will have already done what they want to do. They don't have to make any changes; they *can consider*. It's not the same as a public hearing where actions change based on public input. Mr. Anderson cautioned that action must be taken before the DEEP meeting.

Ms. Bottomley cited people need to send letters and comments/information to the BBMSRC, and UTC, and AECOM, and the media. You speak of in past people in multiple towns said they didn't want the nuclear waste dump and that's what made it not happen.

**Bob Lyke:** Mr. Lyke suggested everyone needs to get with the program and contact our legislators, including Carol Hall.

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**Bill Loos:** Mr. Loos suggested UTC isn't concerned about covering the coal tar; they're concerned about the 1,300 cubic yards of toxic material. Tom Talamini recalled the DEEP representative had questioned if they got rid of the 1300 cubic yards where would you stand. People need to contact him about removing the material.

**NEW BUSINESS/C. CCM Annual Convention, October 30 – 31, 2018:**

First Selectman Maynard reported the CCM Annual Convention is being held on October 30 and 31<sup>st</sup> at Foxwoods. He suggested the convention offers many good workshops. Selectmen wishing to attend should apply by October 19<sup>th</sup>.

**NEW BUSINESS/D. Approval of Tax Refunds:**

**MOTION:** To APPROVE Tax Refunds in the amount of \$14,015.33 as identified under Tax Refund Report dated September 4, 2018.

Szymanski moved/Hoffman seconded/**DISCUSSION:** None

**VOTE:** In Favor: Unanimous (Maynard/Hoffman/Szymanski)

**SELECTMEN COMMENTS AND REPORTS/A. Charles J. Szymanski:**

Selectman Szymanski had nothing to report this evening.

**SELECTMEN COMMENTS AND REPORTS/B. Andy Hoffman:**

Selectman Hoffman reported the Economic Development Commission didn't meet in August; he has no update for the public.

**SELECTMEN COMMENTS AND REPORTS/C. Robert Maynard:**

First Selectman Maynard indicated he had nothing additional to report.

**SELECTMEN COMMENTS AND REPORTS/D. Steve Dearborn:**

Deputy First Selectman Dearborn was not present.

**SELECTMEN COMMENTS AND REPORTS/E. Jason Bowsza:**

Selectman Bowsza was not present.

**SIGNATURES FOR APPROVAL OF CHECK REGISTERS:**

The Selectmen reviewed the registers presented and took appropriate action.

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**EXECUTIVE SESSION/Pursuant to C.G.S. Sec. 1-200 (6-a), Sec. 1-210 (b-1) (b-4)  
Employment, Litigation and Negotiations – Action is possible:**

**MOTION: To TAKE A FIVE MINUTE BREAK at 8:30 p.m. and to GO INTO EXECUTIVE SESSION immediately following the break. Attending The Executive Session: First Selectman Maynard, Selectman Hoffman, and Selectman Szymanski.**

**Hoffman moved/Szymanski seconded/DISCUSSION: None**

**VOTE: In Favor: Unanimous (Maynard/Hoffman/Szymanski)**

The Selectmen came out of Executive Session at 9:43 p.m.

**MOTION: I move to authorize the First Selectman to engage Special Counsel Attorney Keith Yagaloff to represent the interests of the Town of East Windsor as deemed advisable.**

**Hoffman moved/Szymanski seconded**

**VOTE: In Favor: Unanimous (Maynard/Hoffman/Szymanski)**

**MOTION: I move to authorize the First Selectman to engage Special Counsel Attorney Ed McAnaney to represent the interests of the Town of East Windsor as deemed advisable.**

**Hoffman moved/Maynard seconded**

**VOTE: In Favor: Maynard/Hoffman**

**Opposed: No one**

**Abstained: Szymanski**

**ADJOURNMENT:**

**MOTION: To ADJOURN the Board of Selectmen's Meeting at 9:45 p.m.**

**Hoffman moved/Maynard seconded**

**VOTE: In Favor: Unanimous (Maynard/Hoffman/Szymanski)**

Respectfully submitted

  
\_\_\_\_\_  
Peg Hoffman, Recording Secretary, East Windsor Board of Selectmen

**ATTACHMENTS: A: "Draft East Windsor Casino Fund Ordinance";**

*BW- 9/6/2018 - Attachment A.*

Draft East Windsor Casino Fund Ordinance

**Town of East Windsor**

The following ordinance was adopted at a Special Town Meeting duly warned and held on \_\_\_\_\_, 2018.

**'ORDINANCE REGARDING THE CREATION OF THE TOWN OF EAST WINDSOR CASINO IMPACT FUND'**

1. Pursuant to the Connecticut General Statutes, as amended, there shall be established a Casino Impact Fund ("CIF").
  - a. Such CIF shall be a non-lapsing, revolving fund of the Town of East Windsor outside of the General Fund.
  - b. The \$3,000,000 up-front payment and any subsequent annual impact payments received from MMCT Venture, LLC as required by Section 1, a, and b of the Development Agreement between the Town of East Windsor and MMCT Venture, LLC dated February 28, 2017, shall be deposited 100% into the CIF not more than thirty (30) calendar days after receipt.
  
2. The monies in the CIF, including interest earned thereon, shall be expended to ensure the casino has a positive impact on the Town of East Windsor. The CIF shall ensure that issues associated with the casino are dealt with in a manner that supports: its operation, the growth of East Windsor, quality of life, infrastructure, and public services.

Monies will be reviewed annually, and money deemed in excess shall be transferred to the General Fund for the purpose of stabilizing taxes.