

**BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, OCTOBER 7, 2019
8:30 A.M. – TOWN HALL**

First Selectman Matthew Hoey called the meeting to order at 8:33 a.m.

Present: Board Members: Matthew Hoey, Charles Havrda, Susan Renner, Louis Federici and Sandra Ruoff

Town Officials: Human Resources Director Mitch Goldblatt, In-House Counsel Pam Millman, Lt. Tim Bernier, Library Director Rob McCooles, Town Engineer Janice Plaziak, Youth and Family Services Director Lyne Landry, Y&FS Program Director Karolin Regan, Y&FS Program Coordinator Susan White, DAY Members Peter Palumbo, Lisa Ott and Bo Huhn, Fire Chief Charles Herrschaft, Environmental Planner Kevin Magee, Land Acquisition Commission Member Gary MacElhiney and Clerk Traci Brinkman

Others: Three people in the audience

Media: Mike Graziano, taping for GCTV

1. Pledge of Allegiance

Mr. Havrda led the pledge

2. Public Forum (limited to 3 minutes on agenda items)

Mr. McCooles wanted to speak on item 15.5. He noted that the only time the Library has served beer or wine during open hours was for two specific programs. He added that he is not against the request, but wanted to explain to the board that it is coming from an outside organization and there will not be a lot of library staff in the building that day because it is a Sunday.

3. Approve minutes of:

3.1 September 16, 2019 – Regular Meeting

Mr. Federici said with regard to the Splash Pad proposal, he questioned if there was any comment about the impact on parking.

Mr. Havrda explained that right now it is just in the design phase and those questions would be answered once that is completed.

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted to approve the minutes of the September 16, 2019 Regular Meeting as presented.

*Vote: In Favor: Hoey, Havrda, Renner and Ruoff
Opposed: None
Abstaining: Federici*

4. Guilford D.A.Y.:

4.1 Receive presentation on survey results.

Bo Huhn stated that the Town should be proud of Youth and Family Services. They have done a great job area well recognized and have outstanding programs. Youth leadership is key and they have kids take over ownership. The norm in Guilford is that it's okay to be clean and sober.

He added that as a society we believe that drug and alcohol use by kids is par for the course. Mr. Huhn noted that if 100 kids per year were lost by kidnapping people would go crazy and try to stop it. As a society we have accepted that kids can be destroyed by drugs and alcohol.

Lisa Ott went over some of the which showed good news. There percentage of kids recognizing the dangers of drugs and alcohol and the negative perception of using them increased. The only area that decreased was the perception of risk for tobacco and marijuana went down. They believe this is due to the information in the media regarding legalization. She highlighted a question asking students when they are an adult if they will have a good life and about 70 kids at the high school and 22 kids at Adams disagreed or strongly disagreed. Anxiety and depression incidents are rising and as a group they want to address this and determine how to help kids feel strong, healthy and resilient.

Mr. Hoey said if legalization of marijuana passes, how would they change that perception of risk so it gets to the level of alcohol.

Ms. Ott said educating parents, kids and the general public will be a critical piece. It is an uphill battle, but MADD's campaign against drunk driving worked. It will take time.

There was discussion about vaping and a drop in the number of students who are doing that. The perception of the risk is growing and kids are starting to get more educated. This survey was taken last year so that is even before the recent news in the media about vaping.

Mr. Palumbo said it will be very challenging if marijuana gets legalized. He went over the various activities D.A.Y. plans throughout the year including the purple flags and the Color run.

There was discussion about what the board and the community as a whole can do to help the D.A.Y. initiative.

For more information visit the D.A.Y. website at <http://www.itsworthitguilford.org/2018-survey-results.html>

5. Police Department (Lt. Tim Bernier):

5.1 Consider and take possible action on purchase from Warning Lights & Scaffolding Services.

Lt. Bernier said they are looking to purchase a portable electronic message board to help with various needs such as road closures and detour information, etc. He clarified that this is a CT DOT supplier, but it is not being purchased off of state contract.

Mr. Havrda said he supports this and things it's a great idea, but he questioned if there are any planning and zoning rules they need to follow.

Mr. Hoey said because it is portable he doesn't think there will be an issue, but they will check and make sure.

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Renner, the board voted unanimously to approve the purchase from Warning Lights & Scaffolding Services for an electronic information sign in the amount of \$15,500.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

6. BOE Director of Operations (Cliff Gurnham):

6.1 Discuss and take possible action on Change Order #7 for the Baldwin HVAC Project.

Mr. Gurnham explained that this went through the Standing Building Committee (SBC). There is a large amount of piping that feeds the units that are installed. Because of the age of the piping and valves as well as the location, it was determined it is in the best interest to replace it with copper equipment and relocate it. The valves are old and they do not work well. They tried to be aware of expenditures, but determined it is better to be replaced. Sav-Mor will do all the work and they are still within their contingency amount. The cost is \$53612.79.

Mr. Havrda said he can appreciate the initial planning and trying to keep the cost low, but he is not in favor of coming back with change orders.

Mr. Gurnham said for the second phase they decided to have all the equipment replaced because of their experience with this phase.

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to approve Change Order #7 for the Baldwin HVAC Project in the amount of \$53,612.79 to Sav-Mor Cooling Heating, Inc.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

6.2 Consider and take possible action to award Engineering for Phase II of the Baldwin HVAC Project.

Mr. Gurnham said they went to all three on-call vendors for engineering. They got proposals from all three, which were reviewed and vetted by the Standing Building Committee and they are recommending Silver Petrucelli in the amount of \$47,685.

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to contract with Silver Petrucelli & Associates for the design of Phase II of the Baldwin HVAC replacement project in the amount of \$47,685.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

7. Fire Chief (Charles Herrschaft):

7.1 Consider and take possible action on purchase of stretcher and related equipment from Savelives.com

Chief Herrschaft explained that this is the fourth time they have purchased from this company. It is on the state contract and this vendor is the only one that sells this stretcher.

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to purchase the stretcher and related equipment from Savelives.com in the amount of \$16,784.63.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

8. Director of Human Resources (Mitch Goldblatt):

8.1 Discuss and take possible action on implementation of a Smoke and Vape-Free Workplace Policy.

Mr. Goldblatt explained that the Personnel Policy Manual needs updating. While he was going through the policies to update it, this area came to light. The current policy doesn't prohibit smoking or vaping in town vehicles. In addition they had an incident where someone was vaping in the bathroom at the Community Center and he asked to see a policy prohibiting this. In addition, this policy allows smoking or vaping 10 feet or further from a building entrance.

There was discussion by the board about going further and not allowing it on town property at all. Mr. Goldblatt explained that there are employees that do smoke and vape.

It was noted that this is only an employee policy and wouldn't affect others. If they wanted to prohibit smoking on all town premises it would have to be done through a town ordinance. Mr. Goldblatt did note that the state statute already prohibits smoking in all municipal buildings, this policy just additionally covers employees smoking and vaping in town vehicles and they can only smoke 10 feet or more from town buildings. The current policy allows them to smoke right outside the building.

The board expressed some concern where it states the policy also applies to visitors, customers and vendors on Town premises since it is a workplace policy. Mr. Goldblatt noted that Town Attorney Peter Barrett and Attorney Chris Hodgson have reviewed the policy.

The board decided since they had additional questions to table action and have this reviewed again by legal.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to table action on the implementation of a Smoke and Vape-Free Workplace Policy.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

9. Consider and take possible action on Noise Control Ordinance Variance Application from the Guilford Police Department for its Shoreline Loony Dook Event taking place December 14, 2019 at Jacobs Beach.

Lt. Bernier said this is the only plunge that is on the shoreline. They started it last year. They planned it better this year so they achieve high tide. Last year they had to run out about 20 feet. There will be some amplified music and a PA system during the event.

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Hoey, the board voted unanimously to approve the Noise Control Ordinance Variance Application from the Guilford Police Department for its Shoreline Loony Dook Event taking place December 14, 2019 at Jacobs Beach.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
 Opposed: None
 Abstaining: None

10. Discuss and take possible action to set a Public Hearing date of November 4, 2019, 8:30 a.m. at the Guilford Town Hall to receive public comment and consider adoption of an amendment to the Guilford Harbor Management Plan.

There was discussion about how to generate more public interest in these public hearings and town meetings. It was noted that all of these meetings are posted on the town's website and Facebook page.

Mr. Hoey said he thinks that with some of these items that are perfunctory, people do not have any interest.

Mr. Havrda suggested Mr. Hoey talk to the people at COG to see what other towns do and if it works for them.

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to set a Public Hearing date of November 4, 2019, 8:30 a.m. at the Guilford Town Hall to receive public comment and consider adoption of an amendment to the Guilford Harbor Management Plan.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
 Opposed: None
 Abstaining: None

11. Consider and take possible action on Pedestrian Access Easement Agreement between the Town of Guilford and the Whitfield and Water Shoppes, LLC refer to the Planning and Zoning Commission for Mandatory Referral and set a Town Meeting date of October 21, 2019, 8:15 a.m. at the Town Hall.

Mr. Hoey said this is related to the parking agreement with St. George Catholic Church, where they have agreed to allocated 75 spaces behind the church that will be designated for merchant employees and owners so people can more easily shop and park. There are over 200 employees among the shops. He added that they already have a signed agreement with the church.

Ms. Plaziak said this easement has to do with the physical changes and installation of the sidewalk. They have gone back and forth with the property and St. George Church and everyone have agreed with this easement. It will go to the Planning and Zoning Commission for site plan approval and the 8-24 referral at its next meeting with the Town Meeting to follow.

Motion: Upon a motion made by Mr. Havrda, and seconded by Mr. Federici, the board voted unanimously to approve the Pedestrian Access Easement Agreement between the Town of Guilford and the Whitfield and Water Shoppes, LLC, to refer it to the Planning and Zoning Commission for Mandatory Referral and to set a Town Meeting date of October 21, 2019, 8:15 a.m. at the Town Hall.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
 Opposed: None
 Abstaining: None

12. Set a Town Meeting date of October 21, 2019, 8:15 a.m., at the Town Hall to consider and act on the Conservation Easement for 135 Old Quarry Road. (Change of date, the board previously set a date of October 7)

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to set a Town Meeting date of October 21, 2019, 8:15 a.m., at the Town Hall to consider and act on the Conservation Easement for 135 Old Quarry Road.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
 Opposed: None
 Abstaining: None

13. Consider and take possible action on proclamation honoring the 100th Anniversary of the Darrow-Rebuzzini American Legion Post 48.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to approve the proclamation honoring the 100th Anniversary of the Darrow-Rebuzzini American Legion Post 48.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
 Opposed: None
 Abstaining: None

14. Appointments and Resignations:

14.1 Act on resignation received from Scott Gyllensten from the Pension Committee.

Motion: Upon a motion mad by Ms. Renner and seconded by Mr. Havrda, the board voted unanimously to accept with appreciation and regret the resignation received from Scott Gyllensten from the Pension Committee.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
 Opposed: None
 Abstaining: None

15. Requests for Use of Town Property:

15.1 Act on request from the Guilford Art Center to place a sign on the Green advertising its Artistry 2019 taking place November 1-January 5. (Sign Placement 11/1-15 and 12/4-18)

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to approve the request from the Guilford Art Center to

place a sign on the Green advertising it Artistry 2019 taking place November 1-January 5. (Sign Placement 11/1-15 and 12/4-18)

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

15.2 Act on request from The Cove Center for Grieving Children to place a sign on the Green advertising its 5K Race, Memory Walk & Kid’s Fun Run taking place October 20, 2019. (Sign Placement 10/7-10/20)

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to approve the request from The Cove Center for Grieving Children to place a sign on the Green advertising its 5K Race, Memory Walk, & kid’s Fun Run taking place October 20, 2019. (Sign Placement 10/7-10/20)

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

15.3 Act on request from the Shoreline Arts Alliance to use the Green July 29-August 2, 2020 for its Shakespeare on the Shoreline and for two weeks to be determined between July 6-24, 2020 for its Rising Stars Summer Theater Experience.

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Ruoff, the board voted unanimously to approve the request from the Shoreline Arts Alliance to use the Green July 29-August 2, 2020 for its Shakespeare on the Shoreline and for two weeks to be determined between July 6-24, 2020 for its Rising Stars Summer Theater Experience.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

15.3 Act on request from the Guilford Art Center for the annual special permissions during their use of the Green for Craft Expo 2020 as well as the request to waive section 214-2(a) of the Town Code to allow the serving of beer and wine during the event as part of the food court.

Mr. Hoey said they should make approval consistent with what was approved last year.

The board said it would like more feedback on how the event went this year and also recommend the issue to the Green Committee again.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board tabled action on the request in order to get feedback on this year’s event and refer it to the Green Committee.

Vote: *In Favor:* *Hoey, Havrda, Renner, Federici and Ruoff*
 Opposed: *None*
 Abstaining: *None*

15.4 Act on request from the Madison Art Society to waive section 214-2(a) of the Town Code to allow the serving of wine at its Reception taking place at the Guilford Free Library on October 13, 2019.

Hilary Griffin from the Madison Art Society explained that they normally use the Scranton Library and never had to address this issue. They would be serving wine only. They do have insurance with \$1 million liability and it includes coverage for alcohol.

Mr. Hoey said the board has approved the waiver before, but they were for library programs and staff members were present.

Mr. Havrda asked who would be serving the wine.

Ms. Griffin said they have a bartender and it is a sipping event, they do not have a raucous crowd.

Ms. Ruoff said as a former Library Director, a lot of in-town and out-of-town groups use the Library. There have been many groups that had receptions and hoped they could serve alcohol, but it has never been allowed. Occasionally it has been allowed for a library fundraiser, but it was after hours. The library will be open with no extra staffing. They put on the Art Center all those rules and regulations and she thinks approving this would set a precedent. Other groups would then come in asking for this.

Mr. Federici said he wasn't sure how essential it is to have it.

Mr. Hoey said in addition it did not come to the board within the property time frame so all around it would set a bad precedent.

Motion: *Upon a motion made by Ms. Ruoff and seconded by Mr. Hoey, the board voted unanimously to not approve without prejudice the request from the Madison Art Society to waive section 214-2(a) of the Town Code to allow the serving of wine at its Reception taking place at the Guilford Free Library on October 13, 2019.*

Vote: *In Favor:* *Hoey, Havrda, Renner, Federici and Ruoff*
 Opposed: *None*
 Abstaining: *None*

15.5 Act on annual request from the Guilford Community Fund to place its campaign sign on the southwest corner of the Green.

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Federici, the board voted unanimously to approve the request from the Guilford Community Fund to place its campaign sign on the southwest corner of the Green until March 2020.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

16. Committee Reports

None

17. Correspondence

17.1 Letter from Robinson+Cole dated September 25, 2019 re: Cellco Partnership Utility Pole Attachment Project.

Ms. Millman explained that the town does not have much impact in these cases. She added that they are not going to contest it. They are not just attaching to the existing pole in this case, they are replacing the pole with a taller pole.

18. Old Business

None

19. New Business

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to add to the agenda an executive session on property negotiations to acquire a parcel of land.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

20. Public Forum (limited to 3 minutes regarding any issue)

None

21. Discuss and take possible action on settlement of a claim. (Executive session may be required)

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to enter into executive session at 10:18 a.m. to discuss and take possible action on property negotiations to acquire a parcel of land as well as the settlement of a claim. The board invited Ms. Millman, Mr. Magee and Mr. MacElhiney into the executive session regarding the property negotiations and Ms. Millman into the claim settlement executive session.

Board of Selectmen Regular Meeting Minutes of October 7, 2019

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to return to public session at 10:35 a.m.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to allow the Land Acquisition Commission and town counsel to move to the contract phase for said parcel.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to approve the settlement of the claim based on the attorney's recommendation to accept the settlement.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to adjourn the meeting at 10:37 a.m.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Respectfully submitted,

Traci K. Brinkman
Clerk
Board of Selectmen

Matthew T. Hoey III
First Selectman