

**BOARD OF SELECTMEN
MEETING AGENDA
MONDAY, APRIL 6, 2020
8:30 A.M. – TELECONFERENCE
In accordance with Governor’s Executive Order 7B
Join Zoom Meeting**

<https://zoom.us/j/6945077034?pwd=b2p3Q0VoY0FINmZrK1pDbmQ1blRyZz09>

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

Town Officials: Mitch Goldblatt, Human Resources Director, In-House Counsel Pam Millman, Fire Chief Charles Herrschaft, Finance Director Maryjane Malavasi, Town Counsel Peter Barrett, Environmental Planner Kevin Magee, Town Engineer Janice Plaziak, IT Specialist Tony Santarcangelo, Executive Assistant Karen Quercia and Clerk Traci Brinkman

1. Pledge of Allegiance

Mr. Havrda led the pledge.

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

None

3. Approve minutes of:

3.1 March 16, 2020 – Regular Meeting

Ms. Renner noted a correction to the minutes, their vote on the budget reductions was not documented. She believes they all voted in favor. The clerk noted that she would make that correction.

4. Modified Schedule and Process for fiscal year 2020-2021 Town of Guilford Budget, as required by Governor Executive Order 7I (“EO7I”)

4.1 Discuss and take action to authorize the BOF, as budget making authority, to comply with the mandatory requirements of EO7I, and adopt the Budget and set the Mill Rate.

4.2 Discuss and vote to recommend to the BOF the following budget schedule: April 13, 2020 - Electronic Special Meeting of the Board of Finance, to receive and respond to public comment to the budget, which comments shall be received by the

BOF from the public. The public is encouraged to submit their comments or concerns via an email link on the Town website, which email address is townbudget2021@ci.guilford.ct.us at any time up to 3:00pm on Monday, April 20, 2020.

April 20, 2020 - Electronic Regular Meeting of the Board of Finance to receive and respond to public comments received by email and to vote to adopt the budget and set the mill rate.

Ms. Renner asked if this order supersedes the previous order giving town's a 30-day budget extension. Ms. Millman said you can read the two in conjunction with each other. Even if you have a 30-day extension it is still mandatory that the budget making authority adopts a budget and sets the mill rate.

Mr. Havrda said that while he has some thoughts on the budget those should be taken up with the Board of Finance at this point.

Mr. Hoey explained that the selectmen have finished their process so only the Board of Finance can make any changes at this point. Any comments should be taken up with the Board of Finance.

Ms. Renner said she would like to utilize the 30-day extension to allow more time for the public to comment and to give the Board of Finance more time to determine the effects of the pandemic on the budget. She has no problem with the process, she just thinks they should allow more time. Mr. Havrda said he supported Ms. Renner's position.

There was further discussion on issues surrounding a possible 30-day extension. Mr. Hoey noted advice from bond counsel that there is an advantage to holding the schedule as close to the original schedule as possible.

Mr. Havrda and Ms. Renner did not see a down side to a 30 day delay especially since there are so many unknowns at this point.

Mr. Hoey said he is not sure there is a downside other than the government would not be acting in a decisive manner. He could agree to authorizing the Board of Finance to make a decision within no later than 30 days from the original date.

The board decided to recommend to the Board of Finance to make a decision on the budget no later than May 5 and to have as many sessions to respond to residents' comments as they feel necessary.

Ms. Millman and Mr. Barrett were asked their legal opinion as to whether the BOF or BOS sets the date for the budget vote by the BOF, given the language of EO7C and EO7I. Ms. Millman stated she would research further as to whether the BOS only had authority to recommend date of budget vote by BOF or whether BOS had the authority to set the budget date. She will report back at next BOS meeting.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to authorize the Board of Finance, as budget making authority, to

comply with the mandatory requirements of EO7I, and adopt the Budget and set the Mill Rate.

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

Motion: Upon a motion made by Mr. Hoey and seconded by Mr. Havrda, the board vote unanimously to recommend the Board of Finance hold the electronic special meeting on April 13th to respond to emails received until then and also to recommend that the Board of Finance render a decision the budget by May 5 at a special Board of Finance electronic special meeting and to have as many public comment sessions to answer comments and questions from the public as the board feels necessary.

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

5. Fire Chief (Charles Herrschaft):

5.1 Consider and take possible action to purchase portable radios off of State Contract #19PSX0088.

Chief Herrschaft said five years ago the board put this out to bid and Tactical Communications won the bid. They are scheduled for replacement and he is recommending the board award under the state contract to Tactical Communications in the amount of \$30,000.

Mr. Havrda said he supports the purchase and understands radios are important during emergencies. In light of everything going on in the world, he wanted to know if this is just the normal time they would replace them or could the purchase be put off for six months to a year. He asked if they were operational or problematic.

Chief Herrschaft said they were problematic.

Ms. Ruoff said they will be asking similar questions going forward on every purchase, because revenues likely won't be normal for a long time.

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to approve the purchase of portable radios off of State Contract #19PSX0088 in the amount of \$30,000.

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

6. Environmental Planner (Kevin Magee):

6.1 Discuss and take possible action on recommendation from the Conservation Commission to contract with Ferrucci & Walicki, LLC Forestry and Land Management Consultants to update the Timberland Preserve Management Plan.

Mr. Magee explained that this was an approved capital budget expense for \$15,000. The price came in at \$13,037.50.

There was discussion about whether this item could be held off for a bit. Ms. Malvasi said the funds could be continued in force or a purchase order could be issued to hold the money if the board decided to wait on this.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to table action on the contract with Ferrucci & Walicki for update of the Timberland Preserve Management Plan.

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

6.2 Consider and take possible action to contract with A&A Office Systems on State Contract 19PSX006 for scanning of Inland Wetlands and Zoning Board of Appeals files.

Mr. Magee explained that this is an ongoing project and is a higher priority. This will get the documents into MUNIS and is especially important for employees working at home. This company is on the state contract and they have staff ready to go even though they have a pared down operation right now.

Mr. Magee noted that they would pack up the files in boxes and the company will come pick them up and take them to their facility. He added that they had some issues with the contractor that did the previous part of this work, but they did contact the for a price, but got no response.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to approve the contract with A&A Office Systems on State Contract 19PSX006 for scanning of Inland Wetlands and Zoning Board of Appeals files in the amount of \$32,350.

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

7. Town Engineer (Janice Plaziak):

7.1 Consider and take possible action on specific sidewalk work to be completed by the town's on-call contractor William M. Laydon Construction.

Ms. Plaziak explained they did bid this summer and awarded it to William M. Laydon which is the town's on-call contractor. She went over the some of the areas that need to be addressed using the \$50,000 that has been budgeted. She noted that some of these areas have been identified by complaints from residents.

Mr. Havrda asked if there is any grant money available for some of this work.

Ms. Plaziak said that typically there are grants available for sidewalk extensions, but nothing for maintenance.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to approve the list of sidewalk maintenance projects as presented by the town engineer to be completed by the town's on-call contractor William M. Laydon Construction in the amount of \$50,000.

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

7.2 Consider and take possible action to contract with Milone & MacBroom for design and permitting services for a mitigation project for past impacts to tidal wetlands from road elevation projects.

Mr. Hoey noted that this proposal is related to the three road elevation projects and Daniel Avenue. He added that they were originally looking to have the capability to button up both consent orders for DEEP and the Army Corps. They have made significant progress with DEEP. He added that this is less onerous than the original form. The overall size of the project has been reduced dramatically.

Ms. Plaziak explained that the consent order has not yet been finalized. DEEP came back with edits, but they are close to wrapping up. Once they have that, she will be coming to the board for approval. Ms. Plaziak went over the mitigation project which involves the restoration of marsh between the Yacht Club and Chittenden Park. It is a great a project and very visible for the Town. DEEP liked it and agreed to it, but it took longer for Army Corps. They are trying to use this project to get credit from Army Corps as well. They still have to do more surveying before they get final approval from Army Corps and learn how much credit they will give the Town. Whatever is remaining after the credit, the Town will have to pay in terms of fees.

Ms. Millman explained that they went over the project with Parks and Recreation and everyone is in the loop. She noted that the Town's environmental attorney strongly recommended the town to work together with both agencies and not separately, because the Army Corps penalties could be strongly reduced.

Motion: Upon a motion made by Mr. Havrda, and seconded by Ms. Ruoff, the board voted unanimously to approve the contract with Milone & MacBroom for design and permitting services for mitigation project for past impacts to tidal wetlands from road elevation projects in the amount of \$37,270.

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 Fourth Amendment to the Town of Guilford Employees' Pension Plan.

Mr. Goldblatt explained that this is the Fourth Amendment to the Town of Guilford Employees' Pension Plan. These are any changes made in collective bargaining. It has been reviewed by the various unions and groups as well as in-house counsel. No comments have come back from the employees. The Pension Committee met on March 18 and recommended it to the Board of Selectmen for final approval.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to approve the Fourth Amendment to the Town of Guilford Employees' Pension Plan.

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

9. Appointments and Resignations:

9.1 Act on recommendation to appoint Keith Michon to the Pension Committee to fill a vacancy for a term to expire November 30, 2021.

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Ruoff, the board voted unanimously to appoint Keith Michon to the Pension Committee to fill a vacancy for a term to expire November 30, 2021.

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

9.2 Act on recommendation to appoint Schuyler Beeman to the Agricultural Commission to fill a vacancy for a term to expire September 29, 2022.

Motion: Upon a motion made by Mr. Hoey and seconded by Ms. Renner, the board voted unanimously to appoint Schuyler Beeman to the Agricultural Commission to fill a vacancy for a term to expire September 29, 2022.

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

9.3 Act on recommendation to move John Sullivan from alternate to regular member on the Economic Development Commission to fill a vacancy for a term to expire November 30, 2020.

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Federici, the board voted unanimously to move John Sullivan from alternate to regular member on the Economic Development Commission to fill a vacancy for a term to expire November 30, 2020.

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

9.4 Act on appointment of Jeff Hedberg to the Standing Building Committee to fill a vacancy for a term to expire June 17, 2022.

Motion: *Upon a motion made by Mr. Hoey and seconded by Mr. Havrda, the board voted unanimously to appoint Jeff Hedberg to the Standing Building Committee to fill a vacancy for a term to expire June 17, 2022.*

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

10. Committee Reports

Ms. Ruoff said the companies involved in the Affordable Housing Project are working on the various documents and approvals so things are still moving along during these times. They have filed with the Historic District Commission and have revised the design from five buildings down to four buildings.

11. Correspondence

None

12. Old Business

None

13. New Business

None

14. Public Forum (limited to 3 minutes on any issue)

None

15. Discuss and take possible action on sick leave donation for a member of the Guilford Employees' Association. (Executive session may be required)

16. Consider and take possible action on potential land purchase. (Executive session may be required).

Motion: *Upon a motion made by Mr. Federici and seconded by Ms. Ruoff, the board voted unanimously to enter executive session at 9:56 a.m. to discuss a potential land purchase and sick leave donation for a member of the GEA. For the land purchase item the board invited Gary MacElhiney, Keith Bishop, Kevin Magee and In-House Counsel. For the sick leave donation portion, the board invited Mitch Goldbatt and Janice Plaziak. The executive session was held through a private teleconference.*

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

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Ruoff, the board voted unanimously to return to public session at 10:54 a.m.

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

Motion: Upon a motion made by Mr. Hoey an seconded by Mr. Federici, the board voted unanimously to authorize the Land Acquisition Commission to enter into negotiations for the purchase of the identified property.

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

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Federici, the board voted unanimously to approve the requested sick leave donation as outlined in the executive session.

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

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Federici, the board voted unanimously to adjourn the meeting at 10:58 a.m.

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

Respectfully submitted,

Traci K. Brinman
Clerk
Board of Selectmen