

**BOARD OF SELECTMEN  
REVISED MEETING MINUTES  
MONDAY, APRIL 15, 2019  
8:30 A.M. – TOWN HALL**

First Selectman Matthew Hoey called the meeting to order at 8:30 a.m.

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

Town Officials: In-House Counsel/Purchasing Pam Millman, Human Resources Director Mitch Goldblatt, Facilities Engineer Steve Neydorff, Finance Director Maryjane Malavasi, Deputy Police Chief Butch Hyatt, Green Committee Chair Jerry Silbert, Dockmaster Rod McLennan, and Clerk Traci Brinkman. Joining the meeting in progress: Public Works Director Tom Fillion, Assessor Jennifer Bernardo, Environmental Planner Kevin Magee and Land Acquisition Members Keith Bishop and Gary MacElhiney

Others: Maureen Belden from the Guilford Art Center and Dee Jacob from Guilford Marketplace

Media: Guilford Courier Reporter Zoe Roos and Mike Graziano, taping for GCTV

**1. Pledge of Allegiance**

Mr. Havrda led the pledge

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

Jerry Silbert of 155 White Birch Drive and Green Committee chair spoke regarding the Art Center's request for waivers on the Alcohol on the Green policy. He noted that the Green Committee was involved in review of that policy and now there is another request for a waiver of those provisions. Mr. Silbert said he would like the Green Committee to weigh in and comment on this before the board makes a decision. He requested that the board table the item and the Green Committee would be meeting later this week and can discuss it then.

**3. Approve minutes of:**

**3.1 April 1, 2019 – Regular Meeting Minutes**

*Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to approve the Regular Meeting Minutes of April 1, 2019 as presented.*

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

**4. Finance Director (Maryjane Malavasi):**

**4.1 Receive monthly report from Finance Director.**

Revenues

Ms. Malavasi said tax collections are over 100 percent. Last month they were low, but they brought in \$800,000 this month so they are on track. Overall they are over 99% collected on revenues. Between tax, finance and other areas they will have about \$1 million in excess on revenues at year end.

Expenditures

Ms. Malavasi said they are 75% through the year and they are 75% expended. She expects them to be flat. They do have a number of transfers to make including to insurance to cover overages there. She added that she has \$125,000 to transfer in from Waste Transfer Station and Library, but she usually makes those all at once at the end of the year.

Medical Insurance

Ms. Malavasi said March was a low month for claims. She is showing a close to \$1 million surplus at the end of the year bring the total fund balance up to \$4.7 million. There was discussion about a possible request to transfer some funds out of that account. Ms. Malavasi said they are getting closer to the ISL premium.

**4.2 Discuss and take possible action on resolution delegating financing authority for referendum items adopted April 9, 2019.**

*Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to approve the following resolution delegating financing authority for referendum items adopted April 9, 2019:*

*RESOLUTION DELEGATING AUTHORITY TO FIRST SELECTMAN AND FINANCE DIRECTOR TO AUTHORIZE TERMS AND CONDITIONS OF BONDS, NOTES AND TEMPORARY NOTES*

*WHEREAS, the Town of Guilford, by resolutions presented at the Annual Town Budget Meeting held April 2, 2019 and adopted at a referendum held April 9, 2019, approved an appropriation and bond, note and temporary note authorization for the following projects: (i) \$3,005,000 for upgrades to the heating, ventilation and air conditioning systems at Cox Elementary School, the replacement of windows, doors and blinds at Melissa Jones Elementary School and future project design costs for various Town schools; (ii) \$2,402,000 for the purchase of new and replacement vehicles and equipment; and (iii) \$1,135,000 for the reconstruction of various Town roads and infrastructure improvements at the Department of Public Works site.*

*WHEREAS, said resolutions and Section 3-4(a)(5) of the Town Charter authorize the Board of Selectmen to delegate to the First Selectman and the Finance Director of the Town certain determinations and actions in connection with the issue of such bonds, notes and temporary notes.*

*NOW, THEREFORE, BE IT RESOLVED, THAT the First Selectman and the Finance Director, are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes and temporary notes; to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption of interest on the bonds, notes and temporary notes from federal income taxation, including covenants to pay rebate on investment earnings to the United States in future year; to make representations and enter into written agreements for the benefit of holders of the bonds, notes and temporary notes to provide secondary market disclosure information; to sell the bonds, notes and temporary notes at public or private sale; to execute and deliver the bonds, notes and temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes and temporary notes.*

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

**5. Deputy Police Chief (Butch Hyatt):**

**5.1 Consider and take possible action on award of Bid #5-1819 – HVAC Equipment Replacement for the Police Department.**

Deputy Chief Hyatt explained that the HVAC system is 25 years old and at the point where it needs to be replaced. The project was put out to bid and the police commission and Standing Building Committee recommend awarding to low bidder Air Dynamics, which is also the current contractor for the police department and the schools.

*Motion:* Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to award Bid #5-1819 – HVAC Equipment Replacement for the Police Department to Air Dynamics in the amount of \$70,800.

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

**5.2 Discuss and take possible action on request to join the South Central Connecticut Traffic Unit Mutual Police Assistance Compact.**

Deputy Chief Hyatt explained that this is a regional initiative for departments to bring in specialties for serious accident investigations where there are fatalities and could be serious charges. The regional unit is made up of the same departments that participate in the regional SWAT Team as well. He added that they would share manpower, equipment and training.

Mr. Hoey said he asked the chief why Guilford had not been already participating in this, but the chief explained that there were some standards that had not been previously included. They are in there now so he is more comfortable with it.

*Motion:* Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to approve request to join the south Central Connecticut Traffic Unit Mutual Police Assistance Compact.

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

**5.3 Consider and take possible action on request to join the South Central Connecticut General Services Mutual Police Assistance Compact.**

Deputy Chief Hyatt said this is a non-emergency mutual aid compact. If they need people to come in to assist with an event like the Fair or if they have two events at the same time and need additional assistance they would use this. It's a non-emergency situation where the department might be overwhelmed. The American Idol event was also used as an example.

*Motion:* Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to approve the request to join the South Central Connecticut General Services Mutual Police Assistance Compact.

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

**6. Marina Commission (Dockmaster Rod McLennan):**

**6.1 Discuss and take possible action to hire a consultant to obtain DEEP permit to modify the launch ramp floats.**

Mr. McLennan said they need to modify the launch ramp floats at the marina. They talked to multiple contractors to get proposals and the Marina Commission decided to go with Harkin Engineering, which was had the lowest quote at \$10,630. This will be paid for through marina funds.

*Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda the board voted unanimously to contract with Harkin Engineering in the amount of \$10,630 for consulting services to obtain DEEP permit to modify the launch ramp floats.*

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

**7. Set the Annual Town Meeting date for Monday, May 13, 2019, 8:30 a.m. at the Town Hall.**

*Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda the board voted unanimously to set the Annual Town Meeting date for Monday, May 13, 2019, 8:30 a.m. at the Town Hall.*

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

**8. Discuss and take possible action to reaffirm the Fair Housing Policy Statement.**

*Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to reaffirm the Fair Housing Policy Statement.*

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

**9. Appointments and Resignations:**

**9.1 Act on resignation received from Emily Chello from the Conservation Commission.**

*Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to accept with regret and appreciation the resignation received from Emily Chello from the Conservation Commission.*

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

**9.2     Act on resignation received from Sarah Torff from the Conservation Commission and the Tree Advisory Board.**

*Motion:*        *Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to accept with regret and appreciation the resignation received from Sarah Torff from the Conservation Commission and the Tree Advisory Board.*

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

**9.3     Act on recommendation to appoint Donald Kowalsky as an alternate to the Marina Commission to fill a vacancy for a term to expire June 30, 2021.**

*Motion:*        *Upon a motion made by Mr. Hoey and seconded by Mr. Havrda, the board voted unanimously to appoint Donald Kowalsky as an alternate to the Marina Commission to fill a vacancy for a term to expire June 30, 2021.*

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

**9.4     Act on recommendation to reappoint Patricia Keegan to the Conservation Commission for a term to expire February 28, 2023.**

*Motion:*        *Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to reappoint Patricia Keegan to the Conservation Commission for a term to expire February 28, 2023.*

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

**9.5     Act on recommendation to reappoint Patrizia DiLonardo to the Conservation Commission for a term to expire February 28, 2023.**

*Motion:*        *Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to reappoint Patrizia DeLonardo to the Conservation Commission for a term to expire February 28, 2023.*

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

**10.    Requests for Use of Town Property:**

**10.1    Act on request from the Guilford Art Center to waive section 214-2(a) of the Town Code to allow the serving of beer and wine during its Craft Expo on the Green taking place July 19-21, 2019 and for modifications to the approved Guidelines for Alcohol on the Green.**

Mr. Hoey said he had discussions with the police chief about this. He does have concerns with trying to expand on waivers on the policy. It doesn't mean this board has made a decision. In lieu of the Green Committee's request to provide input, they should probably table this. He added that the board has made exceptions and he is not comfortable going back on those. He wouldn't want to take anything away that had previously been granted. Mr. Hoey said to add more then you are getting closer to negating the policy entirely. He suggested they table this until the first meeting in May.

Ms. Ruoff asked if Ms. Belden and Ms. Jacob have had conversations with the police.

Ms. Jacob said they have. She noted that there are three aspects they are looking for. Two they received last year, which was to open the designated area and to not do the positive ID. This is what they operated under last year and the additional request this year is to not have wristbands, since those are typically tied to ID.

Mr. Hoey said there are other organizations that might have a desire to have waivers from the guidelines and they might not feel comfortable providing those to a different organization. He added that when you do something for one it is difficult to not do it for others. What happens when another organization comes in with similar requests.

Ms. Jacob said in the policy it states that waivers could be given to specific events.

The board decided to at least approve what was allowed last year and once the Green Committee reviews the additional waiver they could then reconsider the additional request.

*Motion:*            *Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to waive section 214-2(a) of the town code to allow the serving of beer and wine during the Art Center Craft Expo on the Green taking place July 19-21, 2019 and for modifications to the approved Guidelines for Alcohol on the*

*Green to allow serving of beer and wine and to waive the mandatory id for beer and wine customers, which was granted the previous year.*

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

**10.2 Act on requests from the Henry Whitfield State Museum to place signs on the Green advertising: Puritans at Play on June 8 (Sign Placement 5/25-6/8); Make Music Day on June 21 (6/7-6/21); Halloween at Henry's on October 26 (10/12-10/26); Harvesting History on November 29 (11/15-11/29); and the Firelight Festival on December 6 (11/22-12/6)**

*Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to approve the requests from the Henry Whitfield Museum as detailed on the agenda including sign placements.*

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

**10.3 Act on request from Lifelinx to place a sign on the Green advertising its Road Race taking place May 4, 2019. (Sign Placement 4/20-5/4)**

*Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to approve May 4, 2019. (Sign Placement 4/20-5/4)*

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

**10.4 Act on request from the Guilford Art Center to place a sign on the Green advertising its Craft Expo taking place July 19-21, 2019. (Sign Placement 7/3-7/18)**

*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 its Craft Expo taking place July 19-21, 2019. (Sign Placement 7/3-7/18)*

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

**11. Correspondence**

**11.1 Building Official's Monthly Report**

Received without comment.

**11.2 Public Works Department Monthly Report**

Mr. Hoey said the overtime account is already over. They are hoping there are no other big storms.

**12. Committee Reports**

Ms. Ruoff said the Housing for Economic Development Plan Committee has been reviewing the five submissions for affordable housing developments on the Woodruff Farm property. To comply with the RFP/RFQ they will have one more meeting before they present a recommendation to the board, which they are hoping to do the second meeting in May.

Mr. Hoey said he sat in on four of the five interviews and he was impressed with the organizations.

Mr. Hoey said he spoke to Mr. Federici regarding the building fees. He is prepared to make a presentation, which will be modeled after our neighbors and based on value. This will get away from the current system which has a lot of different fees for different permits. This will increase the building department revenues and they will look to implement this by the beginning of the fiscal year. Mr. Hoey noted that Bill Thody has decided to retire so they will be interviewing four candidates for the Building Official position. He added that Don Lucas, the former building official in Old Saybrook will be working for the town on a part-time basis for three days a week.

**13. Old Business**

None

**14. New Business**

None

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

None

*Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to enter executive session at 9:23 a.m. to discuss an Elderly Tax Relief Appeal, donation of sick time for two employees, correspondence from the Lyle Company and a land acquisition matter. For item #16 the board invited Assessor Jennifer Bernardo and In-House Counsel Pam Millman. For item #17 the board invited Human Resources*

*Director Mitch Goldblatt, Public Works Director Tom Fillion, and In-House Counsel Pam Millman. For item #18 the board invited Finance Director Maryjane Malavasi and In-House Counsel Pam Millman and for Item # 19 the board invited Land Acquisition Member Keith Bishop and Gary MacElhiney, In-House Counsel Pam Millman and Environmental Planner Kevin Magee.*

*Vote: In Favor: Hoey, Havrda, Renner 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 10:50 a.m.*

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

**16. Discuss and take possible action on appeal from residents in accordance with Section 247-31 Right of Appeal, Article VII Elderly Tax Relief Program. (Executive session may be required)**

*Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to deny the appeal because the residents exceeded the income threshold.*

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

**17. Consider and take possible action on donation of sick time for a public works employee and a firefighter. (Executive session may be required)**

*Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to agree to such donation of sick time provided the employees are following all the FMLA paperwork processing as well as doctor's notes regarding return to work and in addition with regard to the firefighter that confirmation is received from management that they are also in support of this action.*

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

**18. Discuss and take possible action on correspondence from the Lyle Company. (Executive session may be required)**

No action was taken by the board on this item.

**19. Discuss and take possible action on Land Acquisition matter.  
(Executive session may be required)**

*Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to give the Land Acquisition the authority to proceed with discussions on the property identified for the purposes for obtaining an appraisal.*

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

*Motion: Upon a motion made Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to adjourn the meeting at 10:55 a.m.*

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

Respectfully submitted,

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Traci K. Brinkman  
Clerk  
Board of Selectmen