

**BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, MAY 7, 2018
8:30 A.M. – GUILFORD 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 Louis Federici

Town Officials: Health Director Dennis Johnson, In-House Counsel/Purchasing Pam Millman, Human Resources Director Mitch Goldblatt, Fire Chief Charles Herrschaft, Town Engineer Jim Portley, Parks and Recreation Director Rick Maynard, BOE Director of Facilities Cliff Gurnham, Assessor Ed Corapinski and Clerk Traci Brinkman. Town Attorney Peter Barrett joined the meeting in progress.

Others: About five others in the audience

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 regarding agenda items)

None

3. Approve minutes of:

3.1 April 16, 2018 – Regular Meeting

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda, the board voted to approve the minutes of the April 16, 2018 Regular Meeting as presented.

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

3.2 April 19, 2018 – Special Meeting (Revise motion for bid award)

Mr. Hoey noted that they need to revise the motion in the minutes for the bid award.

The new motion should read that the board voted unanimously to award and contract with Rising Star Chimney Service, LLC and Christopher Soverns doing business as Rising Star Chimney Service, LLC.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to approve the April 19, 2018 Special Meeting minutes with the revised motion.

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

4. Health Director (Dennis Johnson):

4.1 Consider and take possible action to contract with All Habitat of Branford for mosquito control program.

Mr. Johnson explained that the current mosquito control contract with Innovative Control expires June 20. He requested quotes for the new contract and received two. He noted that these are the only companies in the area. He added that Innovative of Madison submitted a quote of \$23.20 per acre while All Habitat of Branford submitted a quote of \$17.88 per acre. Mr. Johnson said they have used that company before and the cost is also a little lower than what they paid last year. There was a discussion about the insecticide. Mr. Johnson explained that it is a bacteria not a chemical that is used.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to contract with All Habitat of Branford for the mosquito control program in the amount of \$17.88 per acre.

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

5. Town Engineer (Jim Portley):

5.1 Consider and take possible action to contract with Tilcon under State Bid #17PSX0238 for reclaiming, regrading and paving Sachems Head Road from Indian Hill Road to Uncas Point.

Mr. Portley explained that this is in the capital budget for this year. He added that they want to try to get this done before chipsealing begins, because Tilcon

gets busy after July. He added that this is the best price and best time to do it. The amount being constructed is 2,000 feet.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to approve the contract with Tilcon under State Bid #17PSX0238 for reclaiming, regrading and paving Sachems Head Road from Indian Hill Road to Uncas Point.

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

5.2 Review and approve request to enter into contract with the Durham/Middlefield Transfer Station to grind wood debris at the Brush and Leaf Disposal Site (Stump Dump).

Mr. Portley said the March storm was devastating and two months later they have cleaned up everything. The Stump Dump is full of brush. They do have money for rental equipment. Durham bought a tub grinder with a state grant and they allow other communities to use it for a cost of \$15,000 a week.

Mr. Federici expressed concern if it goes beyond the week. Mr. Portley said they have gone a few days over the week and they have still only charged the Town \$15,000. Ms. Millman noted that they can put language in the contract with regard to this.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to enter into a contract with the Durham/Middlefield Transfer Station to grind wood debris at the Brush and Leaf Disposal Site. (Stump Dump)

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

5.3 Discuss and approve issuance of an RFP for Bulky Waste Hauling and Disposal.

Mr. Portley said in 2012 they went out for an RFP for Transfer Station bulky waste hauling and disposal. There were three contract renewals in that and the period has ended. He added that they have had a great relationship with Willimantic Waste and he thought he could approach them with a suggestion to extend the agreement for one more year and base it on a consumer price index increase. Mr. Portley explained that Willimantic had a big fire last year and said they would have loved to extend the contract, but they have been trying to rebuild and have been operating at a loss on the price that was previously agreed to. They

did say they would be interested in bidding going forward, but they cannot at this time just extend based on CPI. Mr. Portley said they would need to go out for an RFP again and he attached information on Branford's bid last January.

Mr. Hoey said based on Branford's numbers it looks like the cost will go up. He added that it is a five-year old bid, but they may see some savings on the hauling price.

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda, the board voted unanimously to approve the issuance of an RFP for Bulky Waste Hauling and Disposal.

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

6. Fire Chief (Charles Herrschaft):

6.1 Discuss and take possible action on resolution authorizing the first selectman to sign the 2017 State Homeland Security Grant Program Region 2 Memorandum of Agreement.

Chief Herrschaft explained that this is an annual requirement for the town's participation in this federal program. All first selectman in the 22 towns for Region 2 must approve and sign the agreement in order for funding to be released for regional assets such as the Haz Mat and SWAT teams.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to approve the resolution authorizing the first selectman to sign the 2017 State Homeland Security Grant Program Region 2 Memorandum of Agreement.

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

7. Assessor (Ed Corapinski):

7.1 Receive report from Assessor on Farm, Forrest & Open Space Adjustments for 2017 Grand List.

Mr. Corapinski explained that the computer system they use has a number of different tables. It was discovered the assessment company used an older calculation for the farm values. When they realized this they did a review to see how many properties were affected and how best to correct. He spoke with the

owner of the revaluation company and they put together letters to explain what happened. They then sent out notices that were reviewed by the town attorney. In total 308 properties were affected. Of those 46 were tax exempt. Of the 262 properties that were taxable, 173 saw an increase and 89 saw a decrease in their assessments. The decreases ranged from \$.30 to \$66 and the increases ranged from \$.63 to \$969. He added that the rights to appeal for those property owners has been extended to next year, if they wish to contest the change.

Mr. Hoey explained that there were a couple of ways of dealing with this issue, but the selectmen do not have authority in this; it is up to the Assessor. He added that Mr. Corapinski came to see him to report on the problem and with solutions on how to fix this. Mr. Corapinski thought they should clean this up now.

Mr. Hoey said the options are to make retroactive changes to the 2017 Grand List or wait until the 2018 Grand List. The statute allows for either option. One taxpayer has asked that the town reconsider the decision. Mr. Corapinski's decision to clean this up now has been vetted through legal. People have already been notified. If the decision to do it now was reversed yet another notification would have to be sent to property owners as well as another notification after the 2018 Grand List, which would also need to be reviewed by counsel. There would be additional confusion and costs associated with that. Mr. Hoey added that he completely supports Mr. Corapinski's decision, but the board does not get a vote anyway.

Mr. Havrda asked if a property owner goes through with an appeal in the future and was successful would the refund be retroactive.

Mr. Corapinski said it would be.

Mr. Havrda said in either case they would come out whole anyway. He thinks it is better to fix it now. He asked if there was any way to avoid this in the future.

Mr. Corapinski said the software no longer contains multiple tables there is only one table so this will not occur again.

8. BOE Director of Operations/Facilities (Cliff Gurnham):

8.1 Discuss and take possible action to award Bid #7-1718 – Partial Roof Replacement and PV installation at Melissa Jones School.

Mr. Gurnham said they had five bidders. Everything was reviewed by the Standing Building Committee (SBC) including the deduct alternate, which would be to remove the existing gutters. They decided to take out the alternate and leave the existing gutters in place, which saved \$178,000. The lowest bidder was Silktown Roofing for \$660,000. SBC recommended the bid be awarded to Silktown for \$660,000 after taking deduct alternate #1 in the amount of \$178,000.

there was discussion about this project in relation to the Energy Performance Contracting.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to award Bid #7-1718 – Partial Roof Replacement and PV installation at Melissa Jones School to Silktown Roofing for \$660,000 after taking the deduct alternate #1 in the amount of \$178,000.

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

8.2 Consider and take possible action on purchase of clocks and associated equipment off of state contract.

Mr. Gurnham explained that Guilford Lakes has an old system that is failing. They are replacing it with a new wireless system. They are looking to purchase the clocks under the state contract, but installation will be done by the BOE and IT will be programming the system. He added that these clocks will be analog since they want the students to learn how to read a clock. The SBC has reviewed this and recommend they contract with ECS Corporation from West Hartford in the amount of \$14,761.63.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to contract with ECS Corporation of West Hartford for the purchase of clocks and associated equipment off of the state contract in the amount of \$14,761.63.

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

9. Receive petition requesting the establishment of a Human Rights Commission.

Mr. Hoey explained that April D’Amato, Judith Keogh and Clarice Yasuhara submitted a proposal and petition to the board requesting the establishment of Human Rights Commission. He added that he had discussions with them early on about their proposal and suggested they work within the community and find support for this. The result is the proposal that has been submitted to the board.

Ms. D’Amato explained that a group of residents came together in August 2017 to form the Guilford Human Rights Advocates due to some incidents that occurred in town. They have been working eight months now and would like to establish a Human Rights Commission. They have submitted along with their proposal and letters of support a petition signed by over 300 Guilford residents. They have also included

proposed language for a Human Rights Commission based on some other towns that have one. She added that if one is established here Guilford would be the first town on the shoreline to have one.

Mr. Federici said he thinks they have done great work raising awareness. He asked what type of costs would be needed by the commission.

Ms. Keogh stated the only real cost needed would be for a secretary to take the minutes, which all boards and commissions have. Their group has offered educational programs throughout the community at no cost and has worked with a number of different community organizations and many speakers have donated their time. They do not anticipate needing a formal budget. They may put in a request for money for a Human Rights Celebration, but they are also willing to fundraise.

Ms. Renner asked why they feel they will be more effective as a town commission rather than continuing to operate as a community organization.

Ms. D'Amato said being a permanent part of the community will create a different energy and command more of a presence. It also makes a statement about the town.

Ms. Keogh said it would be reflective of the town as a whole and believes it would be more representative. It would be wonderful for Guilford to be the first to do this on the shoreline.

There was some discussion about the role of the commission with regard to complaints brought forward by residents. It was suggested the commission could educate the public on the State Commission Of Human Rights and Opportunities. Mr. Hoey noted that this is the very first step in the process and all of the details will need to be worked through the legal department, but it is on the board's agenda and they will start working on it.

10. Consider and take possible action on resolution delegating authority to first selectman and finance director to authorize terms and conditions of bonds, notes and temporary notes.

Mr. Hoey said this resolution allows the town to proceed with the issuance of notes and bonds for the recently approved bonded items for the Board of Education.

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to approve the following resolution delegating the authority to the first selectman and finance director to authorize terms and conditions of bonds, notes and temporary notes:

WHEREAS, the Town of Guilford, by resolution presented at the Annual Town Budget Meeting held April 3, 2018 and adopted at referendum held April 10, 2018, approved an appropriation and bond, note and temporary note authorization of: \$3,650,000 for upgrades to the heating, ventilation and air

conditioning systems at Baldwin Middle School and Melissa Jones Elementary School and future project design costs for various Town schools; and

WHEREAS, said resolution 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 Federici
Opposed: None
Abstaining: None*

11. Consider and take possible action on proclamation declaring May 19-26, 2018 as Guilford D.A.Y. Week and proclamation declaring May 19, 2018 as Meig's Raid Day.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to approve the Guilford D.A.Y. Week proclamation.

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

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to approve the proclamation for Meig's Raid Day.

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

12. Appointments and Resignations:

12.1 Act on recommendation to move Richard Wallace from alternate to

regular member on the Public Works Commission effective June 1, 2018 for a term to expire May 31, 2022.

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Renner, the board voted unanimously to move Richard Wallace from alternate to regular member on the Public Works Commission effective June 1, 2018 for a term to expire May 31, 2022.

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

12.2 Act on recommendation to move Janet Ainsworth from alternate to regular member on the Conservation Commission to fill a vacancy for a term to expire February 28, 2020.

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to move Janet Ainsworth from alternate to regular member on the Conservation Commission to fill a vacancy for a term to expire February 28, 2020.

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

12.3 Act on recommendation to reappoint Laura Collins to the Conservation Commission for a term to expire February 28, 2022.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to reappoint Laura Collins to the Conservation Commission for a term to expire February 28, 2022.

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

12.4 Act on recommendation to reappoint Teresa Buchanan to the Historic District Commission for a term to expire January 31, 2023.

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Federici, the board voted unanimously to reappoint Teresa Buchanan to the Historic District Commission for a term to expire January 31, 2023.

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

12.5 Act on recommendation to appoint Alan Fairbank as an alternate to the Conservation Commission to fill a vacancy for a term to expire February 28, 2020.

Motion: Upon a motion made by Mr. Hoey and seconded by Mr. Havrda, the board voted unanimously to appoint Alan Fairbank as an alternate to the Conservation Commission to fill a vacancy for a term to expire February 28, 2020.

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

12.6 Act on recommendation to appoint Donald Kowalsky to the Shellfish Commission for a term to expire February 28, 2021.

Motion: Upon a motion made by Mr. Hoey and seconded by Mr. Federici, the board voted unanimously to appoint Donald Kowalsky to the Shellfish Commission for a term to expire February 28, 2021.

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

12.7 Act on recommendation to appoint Anthony DeLuca as an alternate to the Public Works Commission for a term to expire May 31, 2022.

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Federici, the board voted unanimously to appoint Anthony DeLuca as an alternate to the Public Works Commission for a term to expire May 31, 2022.

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

12.8 Act on recommendation to appoint Jennifer Newton Blackwell as an alternate to the Inland Wetlands Commission to fill a vacancy for a term to expire February 28, 2020.

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to appoint Jennifer Newton Blackwell as an alternate to the Inland Wetlands Commission to fill a vacancy for a term to expire February 28, 2020.

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

Abstaining: None

12.9 Act on recommendation to appoint Paul Mei to the Land Acquisition Commission as the Scenic Roads Committee representative.

Motion: Upon a motion made by Mr. Hoey and seconded by Mr. Havrda, the board voted unanimously to appoint Paul Mei to the Land Acquisition Commission as the Scenic Roads Committee representative for a term to expire August 18, 2018.

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

12.10 Act on recommendation to appoint Katherine Fydenborg to the Green Committee as the Guilford Preservation Alliance representative to fill a vacancy for a term to expire September 30, 2018.

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Federici, the board voted unanimously to appoint Katherine Fydenborg to the Green Committee as the Guilford Preservation Alliance representative to fill a vacancy for a term to expire September 30, 2018.

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

12.11 Act on recommendation to appoint Grace Zimmer to the Green Committee as the Dorothy Whitfield Society representative to fill a vacancy for a term to expire September 30, 2020.

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda, the board voted unanimously to appoint Grace Zimmer to the Green Committee as the Dorothy Whitfield Society representative to fill a vacancy for a term to expire September 30, 2020.

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

12.12 Act on resignation received from Bill Butterly from the Agricultural Commission.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to accept with regret and appreciation the resignation received from Bill Butterly from the Agricultural Commission.

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

12.13 Act on resignation received from Jim Goodridge from the Standing Building Committee.

Motion: *Upon a motion made by Mr. Hoey and seconded by Mr. Havrda, the board voted unanimously to accept with regret and appreciation the resignation received from Jim Goodridge from the Standing Building Committee.*

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

13. Requests for Use of Town Property:

13.1 Act on request from the First Congregational Church to use the Green and to place a sign on the Green advertising its Celebration of United Nations International Day of Peace taking place September 21, 2018. (Sign Placement 9/7-9/21)

13.2 Act on request from Lifelix to place a sign on the Green advertising its 5K Fundraiser taking place on May 19, 2018. (Sign Placement 5/9-5/19)

13.3 Act on request from The Country School to place a sign on the Green advertising its Summer Camp Registration taking place May 1 – June 1, 2018. (Sign Placement 5/12-5/26)

13.4 Act on request from Moms Demand Action to use the Green and to place a sign on the Green advertising its Wear Orange Community Picnic taking place June 3, 2018. (Sign Placement 5/27-6/3)

Motion: *Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to approve the Requests for Use of Town Property as outlined in items 13.1-13.4 of the agenda.*

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

14. Correspondence

None

15. Committee Reports

None

16. Old Business

None

17. New Business

Mr. Federici stated that he has spoken to George Kral and they are going to begin the process of looking at the Building Permit Application fees as well as other Land Use Application fees.

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

None

19. Discuss and take possible action regarding pending litigation (Executive session may be required)

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to enter into executive session at 9:45 a.m. to discuss pending litigation and invited In-House Counsel Pam Millman and Town Attorney Peter Barrett.

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

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to return to public session at 10:27 a.m.

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

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to authorize the first selectman to settle pending litigation as discussed in executive session.

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

20. Consider and take possible action on requests to donate unused sick time to fellow employees. (Executive session may be required)

Mr. Goldblatt explained there are two requests both have been approved under FMLA and both have exhausted sick leave. Other employees have offered to donate time they have, but they need the approval of the board to do that. If the board would like more information they can go into executive session.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to approve both requests for the donation of unused sick time to fellow employees.

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

Mr. Hoey stated that within the executive session earlier there was discussion relative to the termination decision of a dog in Guilford. The board recently received comments by citizens asking the board for a reversal of this decision. He added that counsel has advised that, "Through the will of the Connecticut Legislature, other than guidance by those in the chain of command in the Guilford Police Department, no other Board, Commission, Officer or employee of the Town of Guilford has any jurisdiction over the decision-making process that would diminish the discretion of an animal control officer and ultimately the Commissioner of Agriculture with regard to any restraint or disposal of a dog." Mr. Hoey stated that this is a written option from Leclair Ryan.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to adjourn the meeting at 10:31 a.m.

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

Respectfully submitted,

Traci K. Brinkman
Clerk
Board of Selectmen