

**BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, AUGUST 6, 2018
8:30 A.M. – GUILFORD 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, Sandy Ruoff

Town Officials: Lt. Tim Bernier, Finance Director Maryjane Malavasi, Human Resources Director Mitch Goldblatt, Fire Chief Charles Herrschaft, Health Director Dennis Johnson, Town Engineer Janice Plaziak, State. Rep. Sean Scanlon, BOE Director of Operations/Facilities Cliff Gurnham, and Clerk Traci Brinkman. In-House Counsel Pam Millman and Attorney Chris McCormack joined the meeting in progress.

Others: About 8 others in the audience

Media: Mike Graziano, taping for GCTV

1. Pledge of Allegiance

Ms. Havrda led the pledge.

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

None

3. Approve minutes of:

3.1 July 16, 2018 – Regular Meeting

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

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

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

4.1 Consider and take possible to award Bid #1-1818 – Calvin Leete Elementary School Subsurface Sewage Disposal System Replacement.

Mr. Gurnham explained that in the spring the septic system at Leete failed. They made it through the remainder of the year by having the tank pumped weekly. There are two systems presently at the school, the north system is the one that is original to the school and constructed in the 1950's. This one is beyond the life of the system and the leeching fields have failed. They tried to see if it could be repaired, but it didn't make financial sense to do that.

He added that they had an engineering firm design a new system and went out to bid for replacement. They had a fair number of bidders respond and the Standing Building Committee had a special meeting to review and it recommended the bid be awarded to the lowest responsive bidder, which was A&W Sanitation for the base bid, including Alternate #2 in the amount of \$88,000. Mr. Gurnham said that Alternate #1 is the replacement of the tank only if necessary. They will not be able to determine that until they get into the project and examine it. He added that there is the possibility he may need to come back to the board for approval for that. Mr. Gurnham said Alternate #2 is to resurface the playground, because they will be cutting in the middle of the blacktop.

Ms. Ruoff asked if the project would be done before school opens.

Mr. Gurnham said the goal is to have it done before school starts.

Mr. Havrda suggested the board add a condition onto the motion that if it is determined the new tank is needed, then they would approve Alternate #1 as well instead of Mr. Gurnham having to come back to the board for approval.

Ms. Renner said for the record the BOE has a history of working with A&W and they have been satisfied with their work. She asked if the price for Alternate #2 (replacement of the blacktop) is a good price.

Mr. Gurnham said he had previously looked into resurfacing the playground since it is old and this price is in the area and even lower than what he received.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to award Bid #1-1819 – Calvin Leete Elementary School Subsurface sewage Disposal System Replacement to A&W Sanitation Company in the amount of \$88,000 (Base Bid and Alternate #2) with a contingency of Alternate #1 totaling \$5,070 if it is determined that the tank needs replacement.

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

5. Fire Chief (Charles Herrschaft):

5.1 Discuss and take possible action on purchase of Scott air cylinders from Shipman's Fire Equipment.

Chief Herrschaft explained that this is Phase 1 of a multi-year process to replace the air packs. Shipman's is the only dealer for the Scott air packs, which they are legally bound to use. The purchase price is \$12,560 for 16 air packs. There are two more phases after this. He added that they have a 15-year life span.

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to approve the purchase of Scott air cylinders from Shipman's Fire Equipment in the amount of \$12,560.

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

5.2 Consider and take possible action on purchase of hose from Shipman's Fire Equipment.

Chief Herrschaft said the hoses are a four-year phase in process. They have a life expectancy of 10 years. They have been buying all American hose for the last four years and Shipman's is the supplier. They require a maximum pressure of 250 pounds. He added that the total cost is \$13,080.

6. Lieutenant (Tim Bernier):

6.1 Discuss and take possible action on purchase of radio equipment from Tactical Communications.

Lt. Bernier explained that every police officer has a personal radio for communications. He explained that they have a multi-year plan to upgrade to the digital platform so officers can communicate with state police and other departments. With the old platform they can only communicate with each other. Tactical is a sole source vendor for the Kenwood radio and the total of this purchase is \$9,157.50.

The board asked if after this purchase all officers would have the newer radios.

Lt. Bernier explained that this would outfit all the current officers. There have been some retirements, but by the time they get the new officers on board they could purchase those radios in the next cycle.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board

voted unanimously to approve the purchase of radio equipment from Tactical Communications in the amount of \$9,157.50.

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

7. Receive update on recent bond rating and bond sale.

Mr. Hoey said they recently went to market for a bond sale. He wanted to acknowledge the work Ms. Malavasi did in such a short window to prepare to go to market. Ms. Malavasi also got help from department heads and he wanted to thank Ms. Malavasi and the entire team.

Ms. Malavasi said they had two rating agency calls and both reaffirmed the AAA rating for bonds with the bond anticipation notes received the highest rating possible. This saved the town \$142,000 in interest costs. She added that they then had a bond sale and received under 3% for the bonds, which came in better than they had anticipated.

Mr. Havrda asked if the rating agencies gave any insight into areas they should maintain or improve upon.

Ms. Malavasi said they feel Guilford has done a good job and has the resources to cover the payment for the bonds. They talked about Guilford's fund balance and how more capital items are being budgeted in operating rather than bonding, which allows the town to adjust depending on the budget year.

Mr. Hoey went over some details in the reports. He noted that S&P highlighted Guilford's strong: economy, management, liquidity, budgetary performance as well as strong budgetary flexibility.

Ms. Malavasi said they did discuss the general fund and how the town was looking to use some of it for one-time expenses. They were comfortable with that as long as the town did not use it for offsetting expenses in the operating budget.

8. Appointments and Resignations:

8.1 Act on resignation received from Calvin Page from the Inland Wetlands 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 Calvin Page from the Inland Wetlands Commission.

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

Abstaining: None

8.2 Act on resignation received from Nicholas Cusano, Jr. from the Board of Assessment Appeals and the Pension Committee.

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 from Nicholas Cusano from the Board of Assessment appeals and the Pension Committee.

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

8.3 Act on resignation received from Carol Cusano from the Board of Assessment Appeals.

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 from Carol Cusano from the Board of Assessment Appeals.

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

8.4 Act on recommendation to reappoint KJ Lee to the Harbor Management Commission for a term to expire July 31, 2022.

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Havrda, the board voted unanimously to reappoint KJ Lee to the Harbor Management Commission for a term to expire July 31, 2022.

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

8.5 Act on recommendation to reappoint Chris Tietjen to the Harbor Management Commission for a term to expire July 31, 2022.

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to reappoint Christ Tietjen to the Harbor Management Commission for a term to expire July 31, 2022.

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

8.6 Act on recommendation to appoint Robert Welsh to the Board of Police Commissioners for a term to expire June 30, 2022.

Motion: Upon a motion made by Mr. Hoey and seconded by Mr. Federici, the board voted unanimously to appoint Robert Welsh to the Board of Police Commissioners for a term to expire June 30, 2022.

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

8.7 Act on appointment of Kimberly Brockett to the Board of Assessment Appeals to fill a vacancy for a term to expire February 1, 2020.

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda, the board voted unanimously to appoint Kimberly Brockett to the Board of Assessment Appeals to fill a vacancy for a term to expire February 1, 2020.

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

8.8 Act on recommendation to reappoint David Egan to the Economic Development Commission for a term to expire April 30, 2022.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to reappoint David Egan to the Economic Development Commission for a term to expire April 30, 2022.

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

8.9 Act on recommendation to move Susan Anderheggen from alternate to regular member on the Inland Wetlands Commission to fill a vacancy for a term to expire February 28, 2020.

Motion: Upon a motion made by Mr. Hoey and seconded by Ms. Renner, the board voted unanimously to move Susan Anderheggen from alternate to regular member on the Inland Wetlands Commission to fill a vacancy for a term to expire February 28, 2020.

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

Abstaining: None

8.10 Act on appointment of John Muro to the Energy Task Force.

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to appoint John Muro to the Energy Task Force.

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

9. Request for Use of Town Property:

9.1 Act on request from St. John's Episcopal Church to place a sign on the Green advertising its Bluegrass Festival taking place August 18, 2018. (Sign Placement 8/4-8/18)

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to approve the request from St. John's Episcopal Church to place a sign on the Green advertising its Bluegrass Festival taking place August 18, 2018. (Sign Placement 8/4-8/18)

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

9.2 Act on request from The Country School to place a sign on the Green advertising its Summer Tours taking place in August. (Sign Placement 8/9-8/23)

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to approve the request from The Country School to place a sign on the Green advertising its Summer Tours taking place in August. (Sign Placement 8/9-8/23)

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

10. Correspondence

Mr. Federici asked where things were with the sidewalk committee that was being put together.

Mr. Hoey said he has received interest from about a dozen volunteers, but a good number of them were not available during the summer. In the next couple of weeks he

will reaffirm their commitment and they will announce the committee no later than the first board meeting in September. He added that they still haven't established a definite size to the committee yet.

There was discussion on the planning and zoning commission's recent meeting regarding not always requiring a second public hearing for certain issues.

Mr. Hoey said the commission approved at its meeting last night that it would require a three-quarters vote of those in attendance to not require a second public hearing. The default is two meetings, but based on the fact that there are a significant number of special permits that really don't require a second meeting. He added that this is a good compromise and there had been a lot of feedback received about eliminating that requirement all together.

Mr. Hoey said he received correspondence from Daniela Balzano about a plastic free Guilford initiative. He added that there may be 2-3 groups working on this initiative to make Guilford plastic free as it relates to single use plastic bags. Mr. Hoey said he will maybe suggest they work together and suspects the board will receive one or many petitions on this at some point.

11. Committee Reports

Mr. Federici said with regard to the Building Fee Committee, they are meeting this week and have information from CCM as well as Department Heads and local builders. They are still shooting for a September report date.

12. Old Business

None

13. New Business

None

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

Kim Amatruda from Branford spoke in support of Simon the dog. She said she taught her children to respect other people's property. The boy should not have gone onto the neighbor's property and should have knocked on the door to ask. This whole situation could have been avoided.

Margit Kaye of 140 Trolley Road said she has lived in Guilford over 50 years and this is unprecedented. Simon should not be kept hostage, he should be returned to his family. He has had enough punishment.

Mr. Hoey explained that a hearing has been scheduled by the Department of

Agriculture for August 16, 2018.

Ann Riggerio of New Haven also stated that holding Simon hostage is a miscarriage of justice. He should be returned back to his family. If he truly was a vicious dog he would have already been put down.

Gabrielle a student in Guilford also spoke in support of Simon. She has been researching the issue and believes Simon has served his time and belongs with his family. She added that rescue dogs many times have triggers and you don't know what those are. The stick could have been a trigger. It is unfortunately the boy got injured, but he also should not have trespassed.

Cindy Vaporis of 7 Alpine Drive in East Haven said she is happy a hearing has been scheduled so this can finally come to an end. She brought her five-year-old grandson Wyatt to the meeting. Wyatt told a story about another boy who ran into the neighbors yard to retrieve a ball. Ms. Vaporis asked if that is a right or wrong thing to do and Wyatt said it was the wrong thing. Ms. Vaporis said even at age five he knows that is the wrong thing to do.

Ally Girardi of 7 Short Trail in Stamford said she loves, people, pets and justice. She relayed a story when she was little and a Frisbee went into the neighbor's yard that had a dog. They were afraid to ring the doorbell they left a note. The people came back from vacation and brought them their old mangled Frisbee and a new one. She said if everyone here today went out into yards with dogs carrying sticks they would get bit. You don't enter somebody's yard if a ball goes in there. She urged the board to send Simon home before the meeting.

Valerie D'Amato of Stamford said the child trespassed and it is not clear if charges were brought up against the child for that. She has two rescued bully breed dogs and she feels as a result of this case there is no protection for homeowners. If someone comes on her property she is still held liable and she shouldn't be. It is not good that this dog has been away from his family for one year. He will deteriorate. He should go home. It's pretty cut and dry someone came into his yard with a weapon.

15. Discuss pending claims from DEEP and Army Corps and discuss possible settlement of one pending claim from Army Corps (Executive session may be required)

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted unanimously to enter into executive session at 9:15 a.m. to discuss pending claims from DEEP and the Army Corps and to discuss possible settlement of one pending claim from Army Corps and invited State Rep. Sean Scanlon, In-House Counsel Pam Millman, Attorney Chris McCormack, Health Director Dennis Johnson and Town Engineer Janice Plaziak into the executive session.

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

Board of Selectmen Regular Meeting Minutes of August 6, 2018

Abstaining: None

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Renner, the board voted unanimously to return to public session at 10:47 a.m.

*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 authorize the first selectman to settle claim asserted by the Army Corps of Engineers with respect to work done by the Town in 2012 in response to Superstorm Sandy in an area under the jurisdiction of the Army Corps of Engineers.

*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. Renner, the board voted unanimously to adjourn the meeting at 10:48 a.m.

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

Respectfully submitted,

Traci K. Brinkman
Clerk
Board of Selectmen