

**BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, SEPTEMBER 16, 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: Environmental Planner Kevin Magee, Finance Director Maryjane Malavasi, BOE Director of Operations/Facilities Cliff Gurnham, Police Chief Jeff Hutchinson, Public Works Director Tom Fillion, Director of Human Resources Mitch Goldblatt, Parks and Recreation Director Rick Maynard and Clerk Traci Brinkman. Economic Development Coordinator Brian McGlone, Town Engineer Janice Plaziak and Facilities Engineer Steve Neydorff joined the meeting in progress.

Others: Barbara Hanson from the Hammonasset Festival Committee and four other residents

Media: Mike Graziano, taping for GCTV

1. Pledge of Allegiance

Mr. Havrda led the pledge

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to add to the agenda item 5a regarding the Public Works recommendation to increase fees at the Stump Dump.

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

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to add to the agenda item 15.4 – A request from the Madison Art Society to place a sign on the Green.

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

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

Allyssa Stephens of 12 Surrey Lane spoke in support of moving forward with the Splash Pad project. She has two small children and her one-year-old is very active so it is challenging to bring them to pools and oceans. A splash pad would be a nice addition to have in town.

Heidi Russo of 647 North Madison Road said she is a real estate agent and a splash pad would add to the community and keep children occupied outside.

3. Approve minutes of:

3.1 September 3, 2019 – Regular Meeting

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda, the board voted unanimously to approve the September 3, 2019 Regular Meeting Minutes as presented.

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

3.2 September 5, 2019 – Special Meeting

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to approve the September 5, 2019 Special Meeting Minutes as presented.

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

4. Police Chief (Jeff Hutchinson):

4.1 Consider and take possible action on Rules and Regulations to Town Code, Chapter 218, Peddling and Soliciting.

Chief Hutchinson said the board previously approved the changes to the Peddling and Soliciting Ordinance. Part of that ordinance is for the Police Department and Police Commission to recommend Rules and Regulations to that part of the code. These rules just clarify and codify the act of peddling.

Mr. Hoey said after they adopted the amended ordinance he heard some concerns from the public that this would affect existing food truck vendors around the Green.

Chief Hutchinson said nothing would change with regard to that. The ordinance changes were focused on control on town properties. It doesn't change anything with regard to public streets.

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

voted unanimously to approve the Rules and Regulations to the Town Code, Chapter 218, Peddling and Soliciting.

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

5. Friends of Hammonasset (Barbara Hanson):

5.1 Consider and take possible action on Application for Variance from the Noise Control Ordinance from the Friends of Hammonasset for its Hammonasset Festival taking place October 5-6, 2019 at the Guilford Fairgrounds.

Barbara Hanson of the Friends of Hammonasset Festival said this is the 9th Festival coming up, but 4th on the Fairgrounds. The festival celebrates nature and Native American heritage with music, dancing, wildlife, shows and vendors. This year it is taking place on October 5 from 10 a.m. to 6 p.m. and Sunday October 6 from 10 a.m. to 5 p.m.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to approve the Application for Variance from the Noise Control Ordinance from the Friends of Hammonasset for its Hammonasset Festival taking place October 5-6, 2019 at the Guilford Fairgrounds.

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

5a. Discuss and take possible action on recommendation from the Public Works Commission to increase fees at the Stump Dump.

Public Works Director Tom Fillion said out of town contractors are coming to the stump dump because it is the cheapest around. They measured the revenues versus the cost to operate and they are falling behind. They are not looking to increase the fees for residents only the commercial contractors.

Public Works Commission Chair Mark Larkins said the fees they take in total about \$30,000 a year, but it costs about \$100,000 to pay for grinding and maintenance of the facility. He added that they looked at what other towns charge and it ranged from \$12 to \$15 a yard to dump commercial containers. To be fair they are recommending an increase in the fee to \$10 a yard. Currently they charge \$1 a yard.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Renner, the board voted unanimously to approve the recommendation from the Public Works

Commission and increase the commercial fees at the Stump Dump to \$10 per yard.

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

6. BOE Director of Operations (Cliff Gurnham):

6.1 Discuss and take possible action on purchase of rental equipment for dehumidification and air conditioning for Baldwin Middle School until HVAC project is completed.

Mr. Gurnham said they knew it would be a tight schedule when they began the HVAC project. There were some delays and they knew they might not have the AC at the start of school. The BOE and SBC discussed this and tried to hold off, but with the warmer weather they decided it was in the best interest to bring in AC to maintain the temperature in the building until the project was finished. He added that they will probably need it until the beginning of October. Funding for this will come from the overall project.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to approve the purchase of rental equipment for dehumidification and air conditioning for Baldwin Middle School until the HVAC project is completed.

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

6.2 Consider and take possible action to approve Change Order #3 for the Baldwin HVAC Project.

Mr. Gurnham said as part of this project they are installing a large chiller. The chiller is located a good distance from the boiler. Initially they were going to run piping on the outside and hang it on the building, but they do not think the brick façade will hold it and aesthetically it is not ideal as well. They looked into burying the pipe, but that would cost \$100,000-120,000. The third option is to bring it up to the roof and then back down and this would cost \$28,068.76.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to approve Change Order #3 for the Baldwin HVAC Project.

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

6.3 Discuss and take possible action to approve award of A&E Services for design of BOE offices in the 595 New England Road Building through the On-Call A&E bid.

Mr. Gurnham said this is an up and coming project. This would be the second floor of the building, because the lower level was renovated in 2015 to create the fitness center. They did some schematic designs on the 10,000 square foot space and it should be able to accommodate all the required offices for the BOE. They would be bringing their three different locations under one roof. He added that they would like to use the On-Call Services of Silver Petrucelli (\$49,900) for A&E Services to get construction documents so they can have a firm number on the cost of the work.

Mr. Havrda asked how long it would take to redo the offices if everything goes according to plan.

Mr. Gurnham said it would take at least a year or so to get into the building.

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to award of A&E Services for design of BOE offices in the 595 New England Road Building through the On-Call A&E Bid to Silver Petrucelli in the amount of \$49,900.

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

6.4 Consider and take possible action to contract with Integrated Technical System for work on the BOE camera system.

Mr. Gurnham said they are moving forward to improve security and safety at the schools. In the spring they requested funds for Calvin Leete. That work has been completed and now they are moving onto Melissa Jones to improve the cameras there. He added that there are two primary certified companies that do work on these systems, namely Nationwide and Integrated Technical System (ITS). They received proposals from each and the Standing Building Committee recommended the lower proposal from ITS in the amount of \$21,600.

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda the board voted unanimously to approve the contract with Integrated Technical System for work on the BOE camera system at Melissa Jones School in the amount of \$21,600.

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

7. Finance Director (Maryjane Malavasi):

7.1 Receive monthly report from Finance Director.

Revenues

Ms. Malavasi explained that tax collection appears higher than last year, but last year they were short-handed at this time so the entries were not up to date. She noted that overall revenues are on track.

Expenditures

Ms. Malavasi said expenditures are slightly more than last year at this time, but all the departments are in line. Human Services is 100 percent expended, but that just depends on how quickly the agencies request funding.

Medical

Ms. Malavasi said in August the claims were only \$255,000. She noted, however, that there is always a catch up period. Last year July was low and August was high so she anticipates a jump in September. She added that they have not received any catastrophic claims.

7.2 Consider and take possible action to authorize transfers from Unassigned Fund Balance and/or the Medical Fund Balance and recommend to the Board of Finance.

Ms. Malavasi explained that they have a projected \$5 million surplus in the Medical Fund at the end of 2019. At a minimum they should keep at least two months expenditures in there, so at least \$2 million. She recommends transferring \$1 million into the OPEB Reserve Fund, which has also has \$200,000 in it from last year.

There was discussion about the OPEB Trust.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to authorize the transfer of \$1 million from the Internal Service Fund (Medical Fund) into the General Fund and applied to the Fund Balance Committed to OPEB line item.

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

Ms. Malavasi said the estimated surplus for 2019 is anticipated to be close to \$2 million, primarily due to an increase in revenues. In order to keep the Undesignated Fund Balance at the 10 percent level as noted in the policy, approximately \$265,000 of that amount would need to stay in the undesignated fund. The balance is available for other uses. She recommended the following transfers from Unassigned Fund Balance to the following lines:

- Fund Balance Committed to Revaluation (\$425,000)
- Fund Balance Committed to Future Facility Projects (\$400,000)
- Fund Balance Committed to Coastal Resiliency (\$200,000)
- Fund Balance Committed to Future Road Projects (\$400,000)

Fund Balance Assigned to Continue in Force (\$16,000)
Fund Balance Restricted to Future Debt Payments (\$300,000)

Mr. Hoey explained that the future facility projects funding would go toward future projects like the demolition of 52 Church Street, engineering costs for the BOE offices design at the New England Road Building. It is important to put money aside for Coastal Resiliency. Lastly there are very specific road projects that need to be done, because the town has not invested in roads over the years so this money would be an opportunity to do those.

Ms. Malavasi said the continued in force amount is for the purchase of the next senior bus. The \$16,000 is the town's portion and they finally received notification on the grant. She added that the money for future debt payments would help to level out debt increases going forward.

Mr. Hoey said some Board of Finance members have talked about utilizing surpluses to offset tax increases. All of these projects will need to be done and the idea is by using these funds they will not have to add these to future budgets and add additional taxes to those budgets. They are at the top end of the fund balance and these are projects they know exist.

Ms. Renner said these amounts total \$1.7 million. They could have been in past budgets like revaluation or in future budgets. She has a problem making decisions outside of the budget process.

Mr. Hoey said there is still a process even if they approve committing these funds. In order to expend any of that money it still has to come back to the Board of Selectmen and Board of Finance. Not every decision is made at budget time; there are many projects that come up throughout the year.

Mr. Havrda said the money still would exist in the Undesignated Fund; they are just dividing it into other areas.

Ms. Malavasi said of lot this would still be discussed during the budget process, they would just explain that the funds are coming from these other areas to offset the cost, like they do with debt service.

Mr. Hoey added that this is also the type of planning that the rating agencies like to see.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted to transfer from Unassigned Fund Balance into the following lines:

Fund Balance Committed to Revaluation (\$425,000)
Fund Balance Committed to Future Facility Projects (\$400,000)
Fund Balance Committed to Coastal Resiliency (\$200,000)
Fund Balance Committed to Future Road Projects (\$400,000)
Fund Balance Assigned to Continue in Force (\$16,000)
Fund Balance Restricted to Future Debt Payments (\$300,000)

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

8. Town Engineer (Janice Plaziak):

8.1 Discuss and take possible action on award of Bid #1-1920 – On-Call Construction of Concrete Sidewalks.

Ms. Plaziak said they received two bids; both were higher than the current pricing. They also added a number of items that they feel are necessary that were not in the previous bid. Ms. Plaziak recommended the board award to William M. Laydon. The price for concrete sidewalks is \$9.90 compared to \$11 per square foot from the other bidder.

Motion: *Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to award Bid #1-1920 – On-Call Construction of Concrete Sidewalks to William M. Laydon Construction.*

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

8.2 Consider and take possible action to waive the purchasing policy (three-quote requirement) and contract with Mark DeAngelis Inc. to repair 12 paver crosswalks around the Green.

Ms. Plaziak said they are having a problem with the crosswalk pavers, which are about 10 years old. She contacted the paver supplier to understand what is going on. They don't warranty the pavers for commercial use. They did however provide one pallet of material free of charge. She added that the areas will be fixed for now, but they need to monitor it and come up with a long-term plan. DeAngelis is willing to do this right away and hopes to have it completed before winter.

Motion: *Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to waive the purchasing policy (three-quote requirement) and contract with Mark DeAngelis Inc. to repair 12 paver crosswalks around the Green.*

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

9. Economic Development Coordinator (Brian McGlone):

9.1 Discuss and take possible action on Parking License Agreement between St. George Catholic Church and the Town of Guilford, subject to Town Meeting and CGS 8-24 Mandatory Referral of related pedestrian easement.

Mr. McGlone said he was at a previous board meeting discussing the need for additional parking around the Green and that they had approached St. George Catholic Church about the use of some of its parking for merchants and employees in order to free up other parking in and around the Green. After many discussions they finally have a signed church agreement which is the first phase. The second agreement is being drafted that merchants/employees will sign.

Ms. Plaziak said they are finalizing an easement which needs to be acquired before construction on the sidewalk can begin. Mr. McGlone noted that there is a significant tree where the sidewalk is going in that the church wants removed. Quotes have been obtained and they are hoping to have that done in October.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to approve the Parking License Agreement between St. George Catholic Church and the Town of Guilford, subject to Town Meeting and CGS 8-24 Mandatory Referral of related pedestrian easement.

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

10. Environmental Planner (Kevin Magee):

10.1 Consider and take possible action on Conservation Easement for 135 Old Quarry Road, send to the PZC for Mandatory Referral under CGS 8-24 and set a Town Meeting date of October 7, 2019, 8:15 a.m., at the Guilford Town Hall.

Mr. Magee showed a map to the board of the conservation easement that would be provided as part of this subdivision which is about 15,000 square feet of the 2.8 acre parcel. It is at the tip of Narrows Island.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to accept the Conservation Easement for 135 Old Quarry Road and send it to the Planning and Zoning Commission for Mandatory Referral under CGS 8-24 and set a Town Meeting date of October 7, 2019, 8:15 a.m. at the Guilford Town Hall.

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

11. Parks and Recreation Director (Rick Maynard):

11.1 Discuss and take possible action on request to approve Schmidt Design Group for design and construction administration services for a splash pad at Jacob's Beach.

Mr. Maynard explained that this a community generated request. Mandy Sorrentino and a committee of people have been working hard on the project

of a splash pad at Jacob's Beach and the Parks and Recreation Commission has unanimously supported the project. The first step is to get a design. They sent a request out for proposals to 10 firms and received three back. The committee reviewed all three and decided on Schmidt Design in the amount of \$21,000.

Ms. Sorrentino said they met with all three in person. They chose Schmidt because they have 30 years in landscape design, particularly with splash pads. They also have an expertise in building them within shoreline areas and are sensitive to the fact that they are looking for something very small and natural that fits in aesthetically. In addition they do not want the water to go to waste and this firm had unique ideas on how to repurpose the water. She added that they have experience in working with volunteer groups as well.

Ms. Sorrentino explained that Veronica Wallace visited some of the splash pads designed by this firm, particularly one in Norwalk and they are very well done. She has spoken to people and they all had very positive things to say about the firm, which is based in Orange.

Ms. Sorrentio said the committee will be raising all the money for this. They did ask if Parks and Recreation could front the money for the design until the funds can be raised.

Mr. Hoey said this is just the first step. He asked once the design is done if the Parks and Recreation Commission anticipated having a public hearing on this before moving forward. In addition they need to know all the ongoing costs to operate this.

Mr. Maynard said once the design is completed there will be a public hearing. Included in the design request was information regarding maintenance costs, etc.

The board asked Ms. Sorrentino how the committee planned to raise the funds.

Ms. Sorrentino said they have already had a pledge fundraiser and have had many families commit to funding already. They plan to have a brick fundraiser and once the design is laid out they will look at corporate sponsorships. They will have additional fundraising events as well.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to contract with Schmidt Design Group for design and construction administration services for a splash pad at Jacob's Beach.

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

12. Facilities Engineer (Steve Neydorff):

12.1 Discuss and take possible action to contract with Trane for HVAC projects at the Guilford Police Department and Guilford Town Hall.

Mr. Neydorff said he is looking for the board to waive the bidding and contract with Trane for HVAC projects at the Guilford Police Department (\$47,265) and the Town Hall (\$69,576). He added that dealing with Trane directly will save the town money rather than going through a contractor. It was a similar situation they had with the Community Center.

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to waive the bidding and contract with Trane for HVAC projects at the Guilford Police Department (\$47,265) and Town Hall (\$69,576).

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

13. Discussion regarding the establishment of an annual 9/11 observance.

Mr. Hoey said last week he got a call from Steve Spurrell asking why the town does not have an annual 9/11 observance. He told him they have not had anyone to spearhead it. Mr. Spurrell offered to spearhead the effort and gather a committee of members to help him. Mr. Hoey said he wanted to bring it to the board for a consensus.

The board members were all in favor of this.

14. Appointments and Resignations:

14.1 Act on resignation received from Linda Soffer from the Youth and Family Services Board.

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to accept with regret and appreciation the resignation received from Linda Soffer from the Youth and Family Services Board.

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

14.2 Act on resignation received from Mia Samsel from the Safe Streets Task Force.

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 Mia Samsel from the Safe Streets Task Force.

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

15. Requests for Use of Town Property:

- 15.1 Act on request from The Country School to place a sign on the Green advertising its Open House taking place October 27, 2019. (Sign Placement 10/13-10/27)
- 15.2 Act on request from the Vista Life Innovations to place a sign on the Green advertising its Vista Tour de Shore and WALK for Vista taking place October 6 and October 27, 2019. (Sign Placement 9/20-10/4)
- 15.3 Act on request from the Guilford Art Center to use the Green July 17-19, 2020 for its Craft Expo.
- 15.4 Act on request from the Madison Art Society to place a sign on the Green advertising its Art Show taking place October 5-31, 2019. (Sign Placement 9/21-10/5)

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Hoey, the board voted unanimously to approve the Requests for Use of Town Property as outlined in items 15.1-15.4.

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

16. Committee Reports

None

17. Correspondence

- 17.1 Building Department Monthly Report
- 17.2 Public Works Monthly Report

Both received without comment

18. Old Business

None

19. New Business

None

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

Gary MacElhiney of 411 Nortontown Road announced that the Facilities Task Force would be having a Public Forum on Thursday, October 3, 7 p.m. at the Community Center.

21. Discuss and take possible action on negotiations regarding a town property. (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 public session at 10:07 a.m. to discuss

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negotiations regarding a town property and invited Land Acquisition Commission Member Gary MacElhiney and Environmental Planner Kevin Magee.

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

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to return to public session at 10:28 a.m.

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

(Mr. Havrda left the meeting during the executive session.)

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to authorize the Land Acquisition Commission to proceed with the appraisal and appropriate environmental studies and open up discussions regarding Right of First Refusal with the property owner.

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

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to adjourn the meeting at 10:29 a.m.

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

Respectfully submitted,

Traci K. Brinkman

Traci K. Brinkman
Clerk
Board of Selectmen