

**TOWN OF SOMERS
BOARD OF SELECTMEN
MINUTES – SPECIAL MEETING
Thursday, July 23, 2009, 6:00 p.m.
Town Hall Auditorium**

1. Call to order

The meeting was called to order at 6:00 PM

2. Members present

Kathleen Devlin, Joseph Tolisano, David Pinney

3. Citizen Comments

None

4. Old Business

- a. Continued discussion and possible decision regarding proposed building and fire permit fee ordinance.

Fire Marshal Bob Morpurgo joined the meeting and reviewed the authorizations within the state fire code for the local authority to require certificates of fitness, permits in other words, to be issued by the fire marshal in regard to an extensive list of circumstances and to charge fees for such permits. The list of required permits and fees proposed within the ordinance represent Mr. Morpurgo's determination of the circumstances existing in Somers or likely to exist that should be reviewed by him to determine that they do not represent an inappropriate risk to the public or the private citizens involved.

Mr. Morpurgo reviewed some of the questions that had been raised at the hearing for the proposed ordinance conducted on June 18.

- A permit for chimney sweeping would apply to commercial operators who charge for the service
- Only large parade floats that have motors, fuel, open flames or heat sources would require permits
- "Special Inspections" is a general category within which the Fire Marshal can require a permit for any large or otherwise potentially hazardous activity or operation. Examples include corn mazes, haunted houses, recreational vehicle camporees.
- Competitions may also require a permit if they are larger scale and include dog shows, horse shows, dance recitals, animal pulls or polo matches.
- The Fire marshal has to inspect any premises applying for or renewing a state issued liquor permit and fees would be included for this activity.
- Permits pertaining to fairs would apply to the organization operating the fair, the vendor providing rides, and large buildings or tents that would be used.
- Waiver of fees should be limited to Town related buildings or activities.

It was moved, seconded and approved (Tolisano, Devlin, unanimous) to adopt the ordinance as proposed with language added to establish a requirement that notice of a proposed change in fees be published at least five days prior to discussion and action on such a proposal by the selectmen, that an amended fee schedule be effective thirty days from date of adoption, that the effective date of the ordinance be fifteen days from date of publication of notice of its adoption, and that the new fee schedule be effective on the same date the ordinance becomes effective.

b. Review of work product and workflow analysis in Land Use and Public Works

D. Pinney reported that Marcia Mitchell is continuing to develop detailed descriptions of work products and work flow in Land Use and that initial information gathering on the same topics for Public Works will begin soon. J. Tolisano proposed that the selectmen develop an RFP for lawn mowing to use to solicit background information on the alternative of outsourcing some portion of field and grounds maintenance so as to enable more flexibility in allocating the use of town staff.

c. Review of streetscape improvements in Somersville

D. Pinney reported that he and Town Engineer, Bob Cafarelli met with a representative from the CT Department of Economic and Community Development to review the streetscape improvements plans for Somersville. The response was that the project was ready to submit to DECD for funding through the STEAP grants that have been awarded to the town for this work. This information was shared with the Somersville Planning Committee which will work with the Town Engineer to submit the necessary application materials to DECD to finalize the grant provisions.

d. Review of FY 09 budget status

D. Pinney reported that preliminary information regarding the final status of the FY 09 budget indicates the town will be turning back to the general fund \$240,000 or more. The selectmen were pleased that the year-long effort by staff to hold back on spending was as effective as that, noting that the lack of a state budget is only one indication of the continuing need to strengthen the town's reserves for future spending needs.

5. New Business

a. Memorandum of Agreement for Homeland Security Grant

It was moved, seconded and approved (Devlin, Tolisano, unanimously) to authorize the Town to enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems necessary or appropriate and to authorize and direct David Pinney, First Selectman, to execute and deliver any and all documents on behalf of the Town and to take such actions as he deems necessary to carry out the terms of such documents.

b. Authorization to use \$137,500 from the town's open space fund for purchase of the Trappe Property

It was moved, seconded and approved (Tolisano, Devlin, unanimously) to endorse the Planning Commission's authorization to appropriate \$137,500 from the Town's Open Space Fund to use for the Town's contribution to acquiring and preserving the Trappe Property on Scully Road, and to recommend to the Board of Finance that the appropriation request be approved and forwarded to a town meeting for adoption.

c. Discussion and decision on furlough days for Land Use Union

Prior to reviewing the need for furlough days for Land Use Union members, D. Pinney discussed with the selectmen two other matters pertaining to the Union. One dealt with a grievance filed by the union on behalf of Patrice Carson regarding an alleged failure to follow the contract by not providing two weeks notice prior to her being laid off from her position as Town Planner when that position was eliminated by the selectmen. The First Selectman has denied this grievance at Step 1 and the union has resubmitted it at Step 2. The selectmen decided that Selectman Tolisano should hear the complaint at Step 2. He will contact the Union and arrange a time to do so.

The other matter pertained to the requirement within the contract to bargain the impact on a member of the union when the work assignments for that member are changed. The First Selectman has assigned zoning functions previously performed by the Town Planner to John Collins, the Town Building Official. The First Selectman has met with the Union and impacted employee. They have a tentative agreement on additional compensation to pay John Collins as a result of having additional duties assigned to him. It

was moved, seconded and approved (Tolisano, Devlin, unanimously) to approve the Memorandum of Agreement executed by the First Selectman and the Union.

D. Pinney reviewed the status of discussions with the Union regarding modifying the contract so as to freeze the salaries at 08-09 levels rather than increasing them as provided for within the contract. With no progress on agreeing to freeze the salaries, the contract calls for increases that total \$6,023. The daily pay of the two members is \$531. The town has the right under the contract to impose furlough days. Eleven days for each member of the Union would reduce the cost for the contract to a level equal to the level of the 08-09 fiscal year. The selectmen agreed that the First Selectman should proceed with assigning eleven furlough days to each member of the Union.

d. Review of process for providing professional planning services

The selectmen reviewed the ongoing efforts and discussions with the Planning Commission to provide professional planning services to support the work of the commissions and town staff. Joe Tolisano will respond on behalf of the selectmen to some points raised by the vice-chairman of the Planning Commission.

6. Authorization to pay bills and approval of transfer requests

It was moved, seconded and approved (Tolisano, Devlin, unanimously) to proceed with both proposed payment of invoices totaling \$1,002,204.03 and transfer requests as attached.

7. Adjournment

It was moved, seconded and approved (Tolisano, Devlin, unanimously) to adjourn the meeting at 8:20 PM.

Respectfully submitted,

David Pinney

These minutes are not official until approved at a subsequent meeting

Transfer/Additional Appropriation Requests

<u>Dept.</u>	<u>From</u>	<u>To</u>	<u>Amount</u>	<u>Reason</u>
6/22/2009 #55 Note: Carryover from previous meeting				
WPCA	Additional Approp.	Water Construction	\$ 255,377.00	Sunset Dr. Eng., Design, Constr. Water main-100% Reimbursable

6/22/2009 #57 Note: Carryover from previous meeting				
Selectmen	Additional Approp.	Social Svc. Director	\$ 15,000.00	Recognize \$15,000 of grant for salary support with balance from replaced positions and Board Secretary line item.
Selectmen	Municipal Agent	Social Svc. Director	\$ 7,698.00	
Selectmen	Recreation Coord.	Social Svc. Director	\$ 12,000.00	
Selectmen	Board Secretary	Social Svc. Director	\$ 500.00	

7/27/2009 #58				
Town Clerk	Advertising election	Asst. town clerk	\$ 467.00	Cover overage for FY 08/09
Planning	Dues & seminars	Cell phone	\$ 262.00	Cover overage for FY 08/09
Zoning	Advertising	Legal	\$ 419.00	Cover overage for FY 08/09
Fire Marshall	Fire system maint.	Salaries	\$ 2,424.00	Cover overage for FY 08/09
Public Safety	Clerical support	Salaries	\$ 3,204.00	Cover overage for FY 08/09
Public Safety	Equip. & supplies	Copy machine	\$ 156.00	Cover overage for FY 08/09
Public Safety	Uniform allowance	Cell phone	\$ 582.00	Cover overage for FY 08/09
Senior Center	Elderly bus	Sr. center expense	\$ 292.00	Cover overage for FY 08/09

7/27/2009 #59				
Highway	Salaries	Heat	\$ 3,913.00	Cover overage for FY 08/09
Highway	Salaries	Electric	\$ 122.00	Cover overage for FY 08/09
Transfer Station	Overtime	Operator MSW	\$ 2,065.00	Cover overage for FY 08/09
Parks	Equip. maintenance	Electric	\$ 1,947.00	Cover overage for FY 08/09
Transfer Station	Overtime	PT salaries	\$ 1,082.00	Cover overage for FY 08/09
Transfer Station	Landfill operation	Fuel	\$ 1,050.00	Cover overage for FY 08/09
Recreation	Shows & concerts	Youth services	\$ 360.00	Cover overage for FY 08/09
Other	Contingency	Police services	\$ 12,431.00	Cover overage for FY 08/09

7/27/2009 #60				
WPCA	Clerical support	Plant supervisor	\$ 143.00	Cover overage for FY 08/09
WPCA	Dues & seminars	Lagoon operation	\$ 152.00	Cover overage for FY 08/09
Ambulance	Vehicle fuel	Volunteer svcs.	\$ 1,500.00	Cover overage for FY 08/09
Ambulance	Vehicle maintenance	Volunteer svcs.	\$ 25.00	Cover overage for FY 08/09
Ambulance	Vehicle maintenance	Medical supplies	\$ 295.00	Cover overage for FY 08/09
Ambulance	Equip. maintenance	Oxygen	\$ 71.00	Cover overage for FY 08/09
Ambulance	Equip. maintenance	Training	\$ 110.00	Cover overage for FY 08/09
Ambulance	Pager purchase	Blood borne path.	\$ 136.00	Cover overage for FY 08/09

7/27/2009 #61				
Selectmen	Temporary salaries	Unemployment	\$ 957.00	Cover overage for FY 08/09
Selectmen	Temporary salaries	Office supplies	\$ 1,361.00	Cover overage for FY 08/09

Selectmen	Temporary salaries	Mileage	\$ 268.00	Cover overage for FY 08/09
Selectmen	Temporary salaries	Capital equip. repl.	\$ 125.00	Cover overage for FY 08/09
Selectmen	Temporary salaries	Fire protection	\$ 1,103.00	Cover overage for FY 08/09
Selectmen	Health insurance	Heat	\$ 11,333.00	Cover overage for FY 08/09
Selectmen	Social security	Heat Kibbe	\$ 6,913.00	Cover overage for FY 08/09

7/27/2009 #62

Selectmen	Legal unions	Electricity	\$ 5,567.00	Cover overage for FY 08/09
Selectmen	Legal unions	Telephone	\$ 2,114.00	Cover overage for FY 08/09
Selectmen	Legal unions	Streetlights	\$ 348.00	Cover overage for FY 08/09

7/27/2009 #63

Fire	Health/Bond insur.	Overtime	\$ 2,647.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	PT salaries	\$ 181.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Volunteer stipend	\$ 2,751.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Printing & supplies	\$ 99.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	New equipment	\$ 67.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Building maint.	\$ 5,510.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Vehicle maint.	\$ 7,159.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Vehicle fuel	\$ 10,616.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Heat	\$ 11,119.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Electricity	\$ 571.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Telephone & alarm	\$ 645.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Water	\$ 180.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Paid uniform	\$ 497.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Training	\$ 299.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Personal protective	\$ 1,182.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Gasoline allow.	\$ 1,449.00	Cover overage for FY 08/09
Fire	Health/Bond insur.	Health & safety	\$ 542.00	Cover overage for FY 08/09

7/27/2009 #64

Building/Planning	Open space	Computer service	\$ 500.00	
Building/Planning	Engineering	Computer service	\$ 2,500.00	
Building/Planning	10 year plan	Computer service	\$ 2,000.00	
Building/Planning	Advertising	Computer service	\$ 2,000.00	Acquiring permit tracking software
Building/Planning	Legal	Computer service	\$ 1,500.00	for use by Land Use Department.

7/27/2009 #65

Public works	Tipping fees	Test well monit.	\$ 5,000.00	DEP consent order non-compliance
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7/27/2009 #66

Selectmen	CCM grant revenue	CCM grant expense	\$ 8,815.00	Preservation of farmland grant administered by CCM. No cost to the town.
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7/27/2009 #1 Note: FY 09/10

Parks	Fund 16	Field marking	\$ 500.00	Bulk purchase on field paint. Fund from recreation fund #16.
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7/27/2009 #2 Note: FY 09/10

Planning	Open Space	Land acquisition	\$ 137,500.00	To purchase Trappe property on Scully Road from the Open Space Fund.
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