

**TOWN OF SOMERS
BOARD OF SELECTMEN
MINUTES – REGULAR MEETING
Thursday, December 3, 2009, 6:00 p.m.
Selectmen’s Conference Room**

- 1 Call to order – First Selectman Lisa Pellegrini called the meeting to order at 6:02 p.m.
- 2 Members present – Present other than Ms. Pellegrini were selectmen Kathleen Devlin and Joseph Tolisano. Also present were Marcia Mitchell (recording); CFO Greg Simmons; Recreation Commission Chair J.J. Wassmuth; Fire Chief Edward Pagani, and several interested citizens.
- 3 Pledge of Allegiance
- 4 Correspondence - none
- 5 Citizen Comments - none
- 6 Opportunity for Selectmen to add agenda items – Ms. Pellegrini asked to add DPW Memo regarding Sand/Salt Policy to New Business as item 8.5. Mr. Tolisano asked that adoption of a new Town Seal be added to Old Business as item 7.5. Ms. Mitchell asked that the selectmen consider two automatic board/commission appointments, of the Fire Chief and the supervising Resident Trooper to the Civil Preparedness Advisory Council. ***Motion (Mr. Tolisano), seconded (Ms. Devlin) and unanimously voted to reappoint Chief Edward Pagani and Sergeant Jose Claudio to the Civil Preparedness Advisory Council.***
- 7 Old Business
 - 7.1 STEAP Grant for Recreation Improvements – Recreation Commission recommendations & budget. Ms. Wassmuth presented the Recreation Commission’s recommendations and budget for expenditure of the \$200,000 STEAP Grant awarded to the Town for Recreation Improvements. The Commission recommended total replacement of the Tennis Courts at the Field Road Park Complex; and repair/resurfacing and replacement of the nets and posts at the Basketball Courts at the Field Road Park Complex. These two projects are projected to cost \$150,400. The Commission also proposed that the remaining \$49,600 be allocated to installation of a “starter” ramp for the Skate Park in the space approved for use at Field Road Park. While this is not a complete park installation, it would be a basic ramp for start-up purposes and would establish the skate park at its proposed location. There was brief discussion regarding the proposals as to what the numbers included, whether or not three bids had been gotten, etc. ***Motion (Mr. Tolisano), seconded (Ms. Devlin) and unanimously voted to support the Recreation Commission’s proposal as the basis for the “scope of work” required to initiate the STEAP Grant process with the administrator at the DEP.*** Ms. Pellegrini will provide the proposal to the DEP contact and inform the Recreation Commission as to how the process will proceed.
 - 7.2 Resident Trooper Contract, resolutions & certifications – The Town’s contract with the State for Resident Trooper Services was briefly reviewed as to what requirements remained for putting the contract in place. ***Motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously resolved that Lisa Pellegrini, the First Selectman be and is herewith authorized to execute a contract on behalf of the Town of Somers with the Connecticut Department of Public Safety, Division of State Police for the services of five (5) Resident State Trooper(s) for the period of July 1, 2009 to June 30, 2011.*** After further brief discussion, ***motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously resolved that the Town of Somers hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes § 4a-60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and section 9(a)(1) and 10(a)(1) of Public Act 07-142.*** Ms. Pellegrini will execute the contract and have the Town Clerk certify both resolutions.
 - 7.3 RFP for Town Counsel Services – Mr. Simmons had provided a draft of the subject RFP for review by the selectmen. He commented that all that was needed to initiate the

process were dates for the bid opening and response requirements along with the selectmen's approval to proceed. **Motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously voted to proceed with the RFP as written and for Ms. Pellegrini to determine the appropriate dates for the RFP with Mr. Simmons.**

7.4 Ambulance equipment review – Ms. Pellegrini reviewed with the selectmen Deputy Chief Falcone's overview of Ambulance 546 replacement information. The selectmen discussed the service level that the people of Somers had come to expect with the response of two Ambulance units and agreed to support with the Board of Finance the need to maintain the current service level.

7.5 Adoption of New Town Seal – as moved, seconded and unanimously voted under Item 6, the selectmen took up discussion of adoption of a new town seal. More than a year ago, the Cultural Commission held a contest for individuals to submit designs for a new town seal, but the Commission members did not believe that any of the submissions adequately represented what they wanted to see in a Town Seal. Mr. Tolisano and Ms. Devlin both commented that they liked the unofficial seal graphic we have been using for years on print copy and the website, which is a drawing of the charter oak. The selectmen also noted that this graphic was in line with the tree graphic used by the Board of Ed as their logo. **Motion (Mr. Tolisano), seconded (Ms. Devlin) and unanimously voted to adopt the charter oak graphic currently used on the Town website as the official seal of the town.**

8 New Business

8.1 2010 Proposed Meeting Schedule – The selectmen reviewed the proposed meeting schedule and discussed upcoming meeting dates. **Motion (Mr. Tolisano), seconded (Ms. Devlin) and unanimously voted to adopt the proposed meeting schedule. Motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously voted to cancel the regular meeting scheduled for December 30, 2009 and to schedule a special meeting the first week of January (date to be determined).**

8.2 Recommendation from John Collins re: Planning & Zoning Combination – the selectmen reviewed an executive summary regarding this combination. 130 of the 169 Connecticut towns ranging in size from as small as Eastford to as large as Bridgeport currently have combined planning and zoning boards. There are many positive reasons to consider this step including streamlined workflow for staff, increased efficiencies for applicants and reductions in cost. Section 8-4a of the Connecticut General Statutes provides a legal precedent for the action. The Selectmen also reviewed a legal opinion dated 10/8/97 from Town Counsel in support of this action. **Motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously voted to have town counsel review subject legal opinion against the current town charter and statutes.** The selectmen agreed that this was a course of action they wanted to investigate further. **Motion (Mr. Tolisano), seconded (Ms. Devlin) and unanimously voted to draft an ordinance and outline a process for review by the selectmen to consider combination of the Planning and Zoning Commissions under Section 8-4a of the Connecticut General Statutes.** Ms. Pellegrini will refer the necessary information to Town Counsel.

8.3 Appointment of temporary Zoning Enforcement Official – Ms. Pellegrini informed the selectmen that former Zoning Enforcement Official, James Taylor (retired), has indicated that he would be willing to work ½ day per week for the Town as Zoning Enforcement Official until a permanent replacement is identified. **Motion (Mr. Tolisano), seconded (Ms. Devlin) and unanimously voted to appoint Mr. James Taylor as interim Zoning Enforcement Official.** Mr. Taylor is available to begin Friday, 12/11/09.

8.4 Briefing on Governor's Municipal Mandate Board – Ms. Pellegrini informed the selectmen that she was asked by Governor Rell to participate in an advisory panel to identify the fiscal needs of cities and towns of varying sizes in the face of potential cuts in municipal aid. Ms. Pellegrini participated earlier in the week in the initial meeting of this panel. The panel was informed that the state was projecting a deficit of \$3 billion for the general fund in fiscal 2012, and that based on her participation on this panel, she expected that cuts would be forthcoming beginning this fiscal year. No actions were taken.

8.5 Sand Policy memo from DPW – as moved, seconded and unanimously voted under Item 6, the selectmen took up discussion of this item. Ms. Pellegrini wanted to inform the

other selectmen that the Department of Public Works had identified an issue with the use of town-purchased sand and salt wherein contractors and businesses had become accustomed to loading their trucks with sand/salt from the town stock. Given the town's current budget constraints, Mr. Cafarelli, Director of Public Works and Town Engineer, had posted a policy memo in public locations noting that sand/salt was available in small quantities for residential use only, and that businesses/contractors would no longer be allowed to load their trucks from town sand/salt stock. Ms. Pellegrini said that there had already been negative comments from contractors and business owners; however, the town would support this policy and that the budget could no longer sustain allowing contractors and businesses to load their trucks from town sand/salt stock. The selectmen thanked Ms. Pellegrini for this and noted their support of the policy.

9 Authorization of Scheduled Payments – **Motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously voted to authorize scheduled payments in the amount of \$206,144.63.**

10 Appropriations/Transfers – **Motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously voted to authorize the following appropriations/transfers:**

| From | To | Amount | Explanation |
|--|--|-----------------|---|
| Misc. State Grant Rev. | CCM Grant Expense | \$10,800 | Ag viability grant payment received from state. Grant being administered by CCM, who will be for a like amount |
| Fire Printing & Supplies Fire-Equipment Maint Fire-Foam Fire-Equip Replacement Fire-Laundry | Fire-Personal Protective Gear Fire-Building Maintenance | \$3,500 | New bunker gear for part-time paid staff. Cover unexpected building maintenance expenses. |
| General Fund | Police-Equipment & Supplies | \$9,100 | Grant received from the State of CT for the purchase of traffic enforcement equipment |

11 Approval of Minutes – 11/19/09 Meeting – **Motion (Ms. Devlin), seconded (Mr. Tolisano) and unanimously voted to approve minutes of 11/19/09 meeting as written.**

12 Board of Selectmen Remarks – Ms. Devlin noted that Town Clerk, Ann Logan, is to be commended for her recent memo to the Zoning Commission on their 11/17/09 minutes submission. Mr. Tolisano noted that, in the future, only the Board of Selectmen should present financial proposals to the Board of Finance, with technical support from the requesting department.

13 Citizen Comments – Ms. Wassmuth asked the selectmen if they would consider appropriating \$4,500 that was cut from the budget for Custodial Overtime in support of the Basketball Program. She indicated that covering the cost would be prohibitive for the participants of the program. The selectmen acknowledged her request and said that it had been a difficult budget year for all departments and while they could sympathize, they would not support the appropriation.

14 Adjournment – Motion (Mr. Tolisano), seconded (Ms. Devlin) and unanimously voted to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

Marcia L. Mitchell
Exec Asst/Ops Mgr
Recording Secretary