

VOL. 19
CORRECTED MINUTES

JUNE 16, 2010

REGULAR MEETING, BOARD OF FINANCE

Minutes of the Regular Meeting of the Board of Finance held on Wednesday, June 16, 2010 at the Westbrook Mulvey Municipal Center.

Present: Chairman Paul Connelly, Jane Butterworth, Sherry Seidman, George Pytlik, Chris Ehlert and Gary Gavigan.

Also Present: First Selectman Noel Bishop, Selectmen Jim Crawford and John Hall, Attorney Mike, Attorney John Bennett, Treasurer Darlene Jones, Conservation Commission Chairman Tom ODell, Acting Sanitarian Dick Leighton and Members of the Public.

CALL TO ORDER

The Meeting was called to order at 7:30 p.m. by Chairman Paul Connelly with a salute to the flag.

EXECUTIVE SESSION – DISCUSSION OF FOI COMPLAINT

Upon a motion by Jane Butterworth, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to adjourn into Executive Session at 7:30 p.m. for the purpose of discussing the FOI complaint filed by Treasurer Darlene Jones. First Selectman Noel Bishop, Selectman Jim Crawford, Selectman John Hall, Attorney Mike Wells and Attorney John Bennett were asked to participate in the Executive Session portion of the meeting.

The executive session portion of the meeting ended at 8:20 p.m. No action was taken.

Upon a motion by George Pytlik, seconded by Gary Gavigan, it was:

RESOLVED: Unanimously to video tape all meetings of the Board of Finance.

It was announced that this meeting is being taped.

APPROVAL OF MINUTES:

REGULAR MEETING – MARCH 24, 2010

Upon a motion by Jane Butterworth, seconded by Sherry Seidman, it was:

RESOLVED: To approve the minutes of the March 24, 2010 Regular Meeting, as submitted.
(Gary Gavigan abstained from the vote).

BUDGET HEARING – MARCH 25, 2010

Upon a motion by Jane Butterworth, seconded by George Pytlik, it was:

RESOLVED: To approve the minutes of the March 25, 2010 Budget Hearing as submitted.
(Gary Gavigan and Sherry Seidman abstained from the vote).

BUDGET HEARING – MARCH 31, 2010

Upon a motion by Jane Butterworth, seconded by Gary Gavigan, it was:

RESOLVED: Unanimously to approve the minutes of the March 31, 2010 Budget Hearing as amended.

SPECIAL MEETING – APRIL 5, 2010

Upon a motion by George Pytlik, seconded by Jane Butterworth, it was:

RESOLVED: To approve the minutes of the April 5, 2010 Special Meeting as submitted.
(Sherry Seidman and Chris Ehlert abstained from the vote).

SPECIAL MEETING – MAY 20, 2010

A motion was made by Jane Butterworth and seconded by Sherry Seidman to approved the minutes of the May 20, 2010 Special Meeting.

Discussion: George Pytlik stated that he feels that the approval of the minutes should be tabled until a copy of the tape of the meeting made by Treasurer Darlene Jones is obtained.

Jane Butterworth withdrew the motion and Sherry Seidman withdrew the second on the motion.

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to table the approval of the May 20, 2010 Special Meeting Minutes until a copy of the recording of the meeting is obtained.

Secretary Kelemen was asked to submit a letter to Treasurer Darlene Jones requesting a copy of the tape she made of the May 20, 2010 Meeting.

APPROVAL OF ACCOUNT MANAGER'S REPORT

It was stated that the reconciliation of the gas accounts has been completed and shows in this month's report.

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to approve the Accounts Managers Report.

REVIEW OF SPECIAL ACCOUNTS

Upon a motion by George Pytlik, seconded by Jane Butterworth, it was:

RESOLVED: Unanimously to close Special Account #101-1210-100-0117, New Police Cruiser and to return the remaining \$2,592.52 to Reserved Capital, Non-Recurring Expenditures Account #010-9-0-954, Police Cruiser.

George Pytlik asked the status of Special Account #311-1210-100-0240, Senior Center Improvement Grant. First Selectman Noel Bishop stated that the Board of Selectmen voted to return the remaining \$6,353.82 to the State and a check request has been submitted for payment. Treasurer Darlene Jones stated that the check will go out next week.

Update on the Middle School Project funds: It will be another 90 days before the audit paperwork goes through all the appropriate departments and for the town to receive and invoice for the monies that has to be returned.

APPROVAL OF TREASURER'S REPORT

Board Members reviewed a Revenue Report created by Secretary Kelemen. George Pytlik stated that this Board has been tabling the approval of the Treasurer's Report because the report is incomplete. Treasurer Darlene Jones stated that she is waiting for the Board of Finance to make a motion to transfer funds. George Pytlik stated that a motion is not necessary and this has been verified by the Auditor's. He further stated that the Treasurer requested a letter from the Town Attorney that proper procedure was followed and that a motion is not needed. Treasurer Jones stated that she did not request a letter from the Town Attorney and is only waiting for a motion to be made.

Paul Connelly stated that he notified the Auditors that if they receive any revenue reports, they have not been approved by the Board of Finance.

Chris Ehlert stated that the Board of Finance will not be making any motion and the Board will have the Town Attorney write a letter stating that proper procedure was followed and that a motion is not needed. Mr. Ehlert also requested that a letter be sent to Treasurer Jones stating that the Board of Finance strongly disagrees with her interpretation that a motion is needed and that the Board followed proper procedure so therefore, no motion is needed.

Upon a motion by Jane Butterworth, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to not approve the Treasurers Report as submitted.

PUBLIC COMMENT – MUNICIPAL FINANCING

None.

INFORMATION FROM THE BOARD OF SELECTMEN

- First Selectman Bishop stated that the Town has received \$44,140.00 from an Energy Grant. There were 6 Towns, including Westbrook that applied for the \$250,000 Regional Energy Grant and it was approved
- The relocation of the Town Garage has been stalled because of the contamination, but it is no longer necessary for an animal shelter to be built as part of the project. Westbrook will sign a contract with the Old Lyme facility to share facilities. This will be a cost savings to the Town.
- The dredging is completed as contracted. There may be some more dredging next spring.
- Our landfill is officially closed and signed off by DEP. There will be minimal testing required in the future.

REQUEST FOR ACCEPTANCE – CONSERVATION COMMISSION GRANT

Conservation Commission Chairman Tom ODell was present to state that they have been approved for a grant from the U.S. Fish and Wildlife Service in the amount of \$8,000.00 for the removal of invasive trees and vines to promote the development of natural habitat in the Salt Island Overlook Property. The Town would have to appropriate the money and then be reimbursed.

Upon a motion by George Pytlik, seconded by Jane Butterworth, it was:

RESOLVED: Unanimously to appropriate the sum of \$8,000.00 to be transferred from Account #010-0009-000-0910, Unappropriated Fund Balance to Special Account #101-1210-100-0105, Salt Island Overlook, Habitat Restoration, for the purpose of covering expenses to remove invasive trees and vines to promote the development

of natural habitat in the Salt Island Overlook Property, which will be reimbursed to the Town from the U.S. Fish and Wildlife Service, as recommended by the Board of Selectmen.

Upon a motion by Jane Butterworth, seconded by George Pytlik, it was:

RESOLVED: Unanimously to change the order of the agenda and handle item #14 next.

REQUEST FOR APPROPRIATION – SANITARIAN

Dick Leighton, Acting Sanitarian explained that he is over budget because of 2 issues. 1 – the state DEP mandated septic tank replacement on Fawn Hill that came out of his budget; and 2 – costs for the dump closure came out of his well testing budget.

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to transfer the sum of \$9,460.00 from Fiscal Year Budget 2009/2010 Account #010-0312-~~036~~-0233, Waste Disposal Engineering – Landfill Closure, to Fiscal Year Budget Account #010-0510-063-2392, Sanitarian, Landfill, Well Testing, for the purpose of covering expenses to the end of the Fiscal Year 2009/2010, as recommended by the Board of Selectmen.

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to transfer the amount of \$11,967.97 from Fiscal Year 2009/2010 Budget Account #010-0312-039-0225, Landfill, Maintenance of grounds and \$6,925.00 from Fiscal Year 2009/2010 Budget Account #010-0312-039-0376, Landfill Permits, for a total of \$18,892.97 to Fiscal Year Budget Account #010-0510-063-2392, Sanitarian, Landfill, Well Testing, for the purpose of covering expenses until the end of the Fiscal Year, as recommended by the Board of Selectmen.

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to approve the appropriation of \$12,000.00, to be transferred from Account #010-0009-000-0910, Unappropriated Fund Balance to Fiscal Year 2009/2010 Budget Account #010-0312-037-0233, Waste Disposal, Engineering, Landfill Closure, Professional Services, for the purpose of covering expenses until the end of the fiscal year, as recommended by the Board of Selectmen.

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to approve the appropriation of \$7,900.00, to be transferred from Account #010-0009-000-0910, Unappropriated Fund Balance, to the following fiscal year 2009/2010 Budget Accounts: \$2,900.00 to Account #010-0510-063-0101, Sanitarian, Payroll and \$5,000.00 to Account #010-0510-063-2392, Sanitarian, Landfill, Well Testing, for the purpose of covering expenses until the end of the fiscal year, as recommended by the Board of Selectmen.

REQUEST FOR APPROPRIATION – SELECTMEN – LEGAL FEES

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to approve the transfer of \$19,359.00 from fiscal year 2009/2010 Budget Account #010-0111-~~002-0129~~, Payroll Reserve, to fiscal year 2009/2010 Budget Account #010-0115-012-2344, Labor Counsel, for the purpose of covering expenses until the end of the fiscal year, as recommended by the Board of Selectmen.

REQUEST FOR APPROPRIATION – PUBLIC WORKS – SALT & SAND & MCVEAGH ROAD ENGINEERING ACCOUNT

Upon a motion by Jane Butterworth, seconded by George Pytlik, it was:

RESOLVED: Unanimously to approve the transfer of \$12,136.00 from Special Account #~~101~~-1210-100-0121, Engineering Fee, McVeagh Road, to fiscal year Budget Account #010-0311-035-0224, Roads, Paving, and to approve the transfer of \$18,000.00 from fiscal year Budget Account #010-0312-038-2394, Hazardous Waste Disposal, to the following fiscal year 2009/2010 Budget Accounts: \$14,000.00 to Account #010-0311-035-0224, Roads, Paving, and \$4,000.00 to Account #010-0311-035-0353, Roads, Salt & Sand, for the purpose of covering expenses until the end of the fiscal year, as recommended by the Board of Selectmen.

REVISED HEALTH DEPARTMENT FEE SCHEDULE

This item is not in the jurisdiction of the Board of Finance, only the Board of Selectmen.

OLD BUSINESS

None.

NEW BUSINESS:

None.

APPROVAL OF BILLS

Upon a motion by George Pytlik, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to approve payment of the following invoices: \$113.14 and \$41.14 to Kathleen Kelemen for Secretarial duties.

There are 2 statements from Seward & Monde, but it is believed that some of the amount has already been paid. Chairman Connelly will contact them to find out what the exact amount is due.

CORRESPONDENCE:

None.

ADJOURNMENT

Upon a motion Jane Butterworth, seconded by Sherry Seidman, it was:

RESOLVED: Unanimously to adjourn at 10:40 p.m.

Respectfully submitted:

Kathleen H. Kelemen, Secretary

NOTE: Corrections indicated in bold, underlined and italicized print.