

WESTBROOK BOARD OF SELECTMEN

REGULAR MEETING
Monday, May 13, 2013
Mulvey Municipal Center
Multi-Purpose Room

CALL TO ORDER

First Selectman Bishop called the meeting to order at 3:30 p.m. In attendance included: Selectman Hall, Selectman Ehlert, Cathy Wininger, Chief Mike Jenkins and Andrew Urban, Director of Finance, Superintendent Pat Ciccone, Maureen Westbrook, BOE Chairman, members of the BOE and Chris Pallatto, YMCA.

Mr. Bishop made a motion to add to the agenda a discussion with the YMCA on an Energy initiative and a first reading to appoint Ron Lyman to the EDC. Mr. Hall seconded the motion. The motion passed unanimously.

Mr. Bishop reported that agenda item #7 Security Cameras at Ted Lane Field is not ready for discussion and will be placed on a future agenda.

FIRE DEPARTMENT AND S. CONNECTICUT GAS COMPANY AGREEMENT

Cathy Wininger and Chief Jenkins were present. A proposal received from S. Connecticut Gas was included in the Board packet. This document has been reviewed by Attorney Wells.

Mr. Bishop reported that this proposal regarding boilers should go to the Energy Committee. Ms. Wininger reported this item was included in the Capital Improvement process. The agreement this evening will allow S. Connecticut Gas to bring gas to the building at no cost to the town. The \$35,000 in the Capital Improvement Plan is for boiler conversion to gas.

Mr. Ehlert recused himself from this discussion as he is employed by the parent company of S. Connecticut Gas.

Attorney Wells has reviewed the document and his comments on the contract have been addressed.

Mr. Urban reported that this project (\$35,000 for boiler conversion) is in the CIP Plan but was deferred until further information is received. This work is not related to the gas company. Mr. Urban reported that the Director of Facilities, Loren Baker, was not involved in these discussions and his input should be considered. Also, the Board of Fire Commissioners should also review the proposal.

The proposal to convert the boilers should go through the Energy Committee and it will be on the 5/23/13 BOS agenda.

APPROPRIATIONS

Building Department

Roger Zito, Building Official submitted a request for an additional \$7,000 for Eye on the Job services due to increased activity in the Building Department.

Mr. Hall made a motion to approve an appropriation in the amount of \$7,000 for professional services in the Building Department for the remainder of FY2013 and forward to the BOF. Mr. Ehlert seconded the motion. The motion passed unanimously.

Land Use

Ms. Parulis reported that an additional \$2,100 is necessary for a professional development software subscription. A one year subscription includes 6 licenses that may be used interchangeably by town departments.

Mr. Ehlert made a motion to approve an appropriation in the amount of \$2,100 for a professional development software subscription and forward to the BOF. Mr. Hall seconded the motion. Discussion followed:

Mr. Urban reported that this will go to the BOF as information only since it is under \$5,000. Mr. Ehlert suggested that the BOE be made aware of this software.

The motion passed unanimously.

REVISIT BOS ACTION OF 4/8/13 REGARDING A SCHOOL BUILDING COMMITTEE

Guests: Roger LeCour, CREC, additional CREC representatives

Since this is an important discussion, the minutes are very extensive to reflect all of the comments.

Included in the BOS packet was a letter from BOE Chairman Maureen Westbrook, minutes and verbatim of 4/8/13 BOS meeting, a letter from Attorney Wells outlining protocol, and a draft resolution.

Mr. Bishop reported that he met with Superintendent Ciccone, Maureen Westbrook and Andrew Urban to review a proposed resolution for the formation of a building committee. A goal for this evening's meeting is to re-visit the action taken at the 4/8/13 BOS meeting ("Mr. Hall made a motion to establish a 7 member School Building Committee to oversee the current projects at the Westbrook schools. The Committee is to consist of no more than 3 representatives from the BOE and is to be forwarded to a Town Meeting for approval. Mr. Bishop seconded the motion. The motion passed unanimously.) to either sustain the action or change it based upon the composition of the Committee and to establish a charge for the Committee.

CREC's role in the project was outlined and discussed.

Mr. Bishop reviewed the process for placing items on BOS agendas. The discussion of a Building Committee was added to the 4/8/13 Regular BOS agenda at the meeting since the request was received after the agenda was posted. Also, the verbatim transcription from the 4/8/13 BOS meeting was provided to offer clarification on the discussion regarding the Building Committee.

Ms. Westbrook, Chairman of the BOE, reported that there is a short time frame to spend the bonded funds. The school calendar needs to be considered when completing the projects. The BOE is concerned that any mechanism put in place does not delay the projects. The role of CREC in the project was outlined and recommendations and a plan were developed. This plan was adopted by the Long Range Planning Committee of the BOF and was forwarded to the BOS and the BOF.

Ms. Westbrook noted:

- The total dollar amount of \$1.9 million is comprised of several small projects. Normally, these smaller projects would have been done as routine capital replacement projects.
- The revised resolution presented this evening outlines the projects included. Only the bonded projects will be under the purview of the Building Committee.
- While a building committee has been utilized for prior school projects, Ms. Westbrook pointed out that now both Mr. Urban and Ms. Wysocki will be involved in these projects to ensure financial accountability. Also, past projects used school construction funds. By law, use of these funds requires a building committee.

CREC's experience and involvement will be instrumental in insuring that the projects are completed in the allotted timeframe.

The BOS discussed the role of CREC. CREC has worked with the schools in 2007 and 2010 and is familiar with the needs of the town. They have worked with many school districts throughout the state.

Mr. LeCour, CREC, reported on the various aspects of the project, i.e. energy conservation, roof repair, window replacement, etc. CREC combined all projects into one package (proposal available at the meeting). He continued that CREC is proposing to be the Owner's Representative as opposed to the Clerk of the Works. The Clerk of the Works simply monitors the progress of the job but has no decision making authority. An Owner's Representative will recommend to the town contracts for services, AIA contracts, have the ability to direct contractors and make recommendations.

Mr. Bishop commented that CREC, as Owner's Representative, would report to the Superintendent of Schools and make regular updates to the BOE.

Mr. LeCour reported that CREC working on school construction projects throughout the state. Each project is assigned a Project Manager. For this type of project CREC prefers to work with a knowledgeable committee.

Mr. Bishop – how is CREC compensated for this project? Mr. LeCour responded that one project manager and a controlled schedule will provide efficiencies and savings. CREC's fee comes out of these savings. This \$1.7 million project includes CREC's fee.

Mr. Hall questioned how much CREC will be paid. Mr. LeCour responded that CREC will be paid on a percentage that has not yet been determined (maximum of 10%). Mr. LeCour commented that the exact cost for CREC's services may not ever be exactly determined until an audit is completed.

Mr. Urban reported that the bond will include the cost of professional services.

Mr. Hall questioned the protocol if the project goes over budget. Mr. LeCour reported that CREC will manage costs to the budget. They cannot authorize going over budget.

Mr. Hall reported that CREC will also have a Clerk of the Works on the project. Mr. LeCour clarified that an individual will not be on site daily. As Owner's Representative, they will check on the projects.

Mr. Bishop reported that the CREC proposal provided this evening will go to Attorney Wells for review. Options for the Selectmen this evening include:

- Placing this proposal on the 5/23/13 BOS agenda (after legal review)
- Take action this evening, pending legal review
- Go out to bid on the project

Mr. Ehlert suggested that perhaps a building committee is not necessary if CREC is designated as the Owner's Representative. CREC would report directly to the BOS.

Rich Annino reported that 3 bids are required beyond a certain dollar amount. Mr. Urban responded that this does not apply on this type of professional services.

Ms. Westbrook reported that the boiler conversion is ready to go. Also, small conservation projects (lighting) have already started. She requested that these projects be excluded from the perview building committee.

The proposal presented this evening will be forwarded to Attorney Wells for review and discussed at the 5/23/13 BOS meeting.

Mr. Urban reported that it would be premature at this time to appoint a building committee as the funds for the projects have not yet been approved by referendum.

Mr. Bishop reported that the motion passed on 4/8/13 calls for a 7 member committee, no more than 3 BOE members, and the committee will choose a Chairman.

Ms. Westbrook requested that the building committee be comprised of 8 members including the Chairman of the BOF and Chairman of the BOE.

Proper representation on a committee was discussed. No more than 4 or 5 can be of one particular party (the exact number will be clarified with the Town Attorney).

Mr. Bishop reported that the BOE Long Range Planning Committee consists of 5 individuals. He has no issue with 3 Long Range Planning Committee members being part of the building committee. He suggested that the BOE recommend members for the building committee.

Mr. Hall favors a 7 member committee with the Director of Finance and School Business Manager as ex-officio members.

Mr. Connelly commented on the importance of having members of the building committee familiar with HVAC, roofs, windows, construction etc.

The discussion on the Building Committee will be finalized on 5/23/13.

Mr. Ehlert made a motion to establish a 7 member Westbrook School Building Committee, appointed by the BOS. Mr. Bishop seconded the motion.

Mr. Hall suggested that the motion include the number of members from the BOE. Mr. Ehlert replied that he would prefer that this be "left open for discussion".

Ms. Westbrook suggested that bonded projects only be placed under the Committee's prevue.

Mr. Ehlert withdrew the motion and suggested that this be discussed further at the 5/23/13 BOS meeting. Mr. Bishop withdrew the second.

Mr. Hall made a motion to rescind the motion from the 4/8/13 meeting ("Mr. Hall made a motion to establish a 7 member School Building Committee to oversee the current projects at the Westbrook schools. The Committee is to consist of no more than 3 representatives from the BOE and is to be forwarded to a Town Meeting for approval. Mr. Bishop seconded the motion. The motion passed unanimously.) Mr. Bishop seconded. The motion passed unanimously.

Mr. Bishop will forward information to Attorney Wells for review. Attorney Wells will contact the CREC Attorney.

DISTRIBUTION OF DONATION CONTRIBUTIONS

Included in the Board packet was information from Vista Vocational & Life Skills Center regarding a contribution (\$4,600) in lieu of taxes. Allocation of these funds was discussed.

Funds have been allocated to Buddy Baseball in the amount of \$800.

Mr. Annino reported that scholarships for Park & Rec. Camps would assist needy Westbrook residents. Because Park & Rec. is a town agency, they are not eligible for funds from Essex Bank, Westbrook Foundation etc. Mr. Annino does work with the Social Services Department to assist families in need. Suggested allocation (\$1,000)

Mr. Annino reported that the Local Prevention Council has initiated a scholarship fund for high school seniors. The purpose of the fund is to assist the Council in the plight against substance abuse. Suggested allocation (\$500).

Mr. Bishop reported that the Veterans are conducting oral interviews of Veterans (Vietnam, Korea, WW2). They are taping these interviews and are in need of (verbatim) transcription of the tapes. They have no funds available to pay an individual for transcription. Mr. Bishop suggests funds (\$1,000) be allocated to assist in this project.

Mr. Bishop reported that Social Services, particularly Energy Assistance, are a growing need. Proper documentation would be necessary prior to any funds being authorized. Suggested allocation \$1,300. Mr. Urban reported that there are currently funds in Energy Assistance account that have not been utilized.

Mr. Bishop made a motion to approve a supplemental appropriation in the amount of \$4,600 and allocate as follows: \$1,000 Park & Rec. Scholarship, \$500 Youth Prevention Scholarship Fund, \$800 Buddy Baseball, and \$1,000 Veteran project. This will be forwarded to the BOF. Mr. Hall seconded the motion. The motion passed unanimously.

Remaining funds will stay in the General Fund for future use.

RE-APPOINTMENT

TOWN MODERATOR TRAINING SESSION

Mr. Bishop made a motion to re-appoint Pam Fogarty to the position of Assessor effective 7/1/13 through 6/30/14. Mr. Hall seconded the motion. The motion passed unanimously.

YMCA PRESENTATION

Mr. Chris Pallatto, YMCA was present to discuss the Neighborhood Assistance Act Tax Credit. This program provides tax credits to organizations that make cash investments in qualifying community

programs. The YMCA is interested in implementing energy efficiencies at the facility. Their application must be approved and administered by the Town of Westbrook even though no financial obligation from the town is required. Documentation on the program was available in the BOS packet.

Mr. Bishop made a motion to approve the request as presented and forward to legal counsel for review. Mr. Ehlert seconded the motion. Discussion followed:

Mr. Ehlert commented that the YMCA intends to install a new boiler and heater for their pool. Also, the YMCA is interested in the installation of natural gas. Mr. Pallatto is currently discussing the natural gas options with S. Connecticut Gas. Mr. Bishop added that his understanding is that the gas company is willing to extend the line to the YMCA but they must determine if homes in the area are interested in natural gas. If not, the cost of the installation of the line would be increased.

Mr. Ehlert questioned if a Town Meeting for approval or BOS approval is required. Attorney Wells will review and clarify.

The motion passed unanimously.

TOWN MODERATOR TRAINING SESSION

Mr. Bishop reported that Attorney Wells has offered to hold a training session, at no cost, for anyone interested in becoming a Town Meeting Moderator. Ms. Angelini, Town Clerk, agrees that such a session would be beneficial.

Mr. Bishop will reach out to town hall employees, board and commission chairs. Mr. Ehlert suggested we also reach out to neighboring towns. Mr. Hall commented that you must be a registered voter in the Town of Westbrook in order to be a Westbrook moderator.

SECURITY CAMERAS AT TED LANE FIELD

Tabled until additional information is received at the request of Charlie Farrell

CLEAN ENERGY MUNICIPAL PLEDGE

Documentation regarding the Clean Energy Municipal Pledge was included in the BOS packet. A communication from Attorney Wells outlining the protocol regarding the Clean Energy Municipal Pledge was included in the BOS packet.

Mr. Ehlert reported that the Energy Committee was approached by CL&P and CEFIA regarding Westbrook's participation in the pledge. There are some micro-grants involved with the pledge depending upon community participation in the program. The Energy Committee has reviewed the program.

Mr. Ehlert made a motion to participate in the Clean Energy Municipal Pledge. Mr. Hall seconded the motion. The motion passed unanimously.

ANIMAL SHELTER RECISSION

Mr. Urban reported the funds from the state bonding commission for the Animal Shelter were re-directed to the town of Clinton. In review of the file, it was determined that the original appropriation was never rescinded. This must be forwarded to the BOF and a Town Meeting.

Mr. Urban continued that the balance of bond resolutions issued for the middle school (\$87,000) and Daisy (\$250,000) roof project must also be rescinded.

Mr. Bishop reported that the Daisy roof project was addressed at a Town Meeting. The school projects will be tabled until further information is obtained.

Mr. Hall made a motion to approve the Capital Project Cancellation Resolution as presented and forward to the BOF and a Town Meeting. Mr. Ehlert seconded the motion. The motion passed unanimously.

PURCHASE OF ANIMAL WASTE BAGS

This item was tabled until further information is obtained.

APPOINTMENTS/RESIGNATIONS

Resignation – Barbara Lupa – Registrar

Mr. Hall made a motion to accept the resignation of Barbara Lupa as Registrar. Mr. Ehlert seconded the motion. The motion passed unanimously.

Documentation was included in the BOS packet regarding the registrar vacancy.

First Reading – Tony Cozza – Housing Authority

First Reading – Ron Lyman – EDC

Second Reading – Preston Pope – Police Advisory Traffic Authority

Mr. Hall made a motion to appoint Preston Pope to the Police Advisory Traffic Authority. Mr. Bishop seconded the motion. The motion passed unanimously.

Regional Mental Health Board – Deb Lovelette has contacted Connie Vogal regarding this position.

APPROVAL OF MINUTES

Mr. Hall made a motion to approve the minutes from the 4/8/13 meeting, including the verbatim portion of the minutes. Mr. Bishop seconded the motion. The motion passed unanimously.

Mr. Hall made a motion to approve the minutes from the 4/11/13 meeting. Mr. Ehlert seconded the motion. The motion passed unanimously.

Mr. Hall made a motion to approve the minutes from the 4/24/13 meeting. Mr. Ehlert seconded the motion. The motion passed unanimously.

Mr. Ehlert made a motion to approve the minutes from the 4/30/13 meeting. Mr. Hall seconded the motion. The motion passed unanimously.

DIRECTOR OF FINANCE REPORT

Mr. Urban reported bids for the police boat engine were opened. One bid was received.

Mr. Hall made a motion to approve a capital appropriation in the amount of \$17,150 for the purchase of a police boat engine and forward to the BOF. Mr. Bishop seconded the motion. The motion passed unanimously.

FIRST SELECTMAN’S REPORT

Mr. Bishop reported on the following:

- Town Garage Committee hired Eye on the Job as Clerk of the Works for the project. However, Mr. Small, Eye on the Job, determined he was not interested in the position. The Town Garage Committee will go out to bid again for the Clerk of the Works position.
- Comments expressing concern regarding allowing alcohol on the beach have been received by the First Selectman’s office. Mr. Bishop reported that a state statute prohibits alcohol on public property without a permit. This statute supersedes any town ordinance. This information will be communicated to the public. Concerns regarding the smoking on the beach were also relayed. The BOS may have to re-visit the smoking issue.

EXECUTIVE SESSION

Mr. Bishop made a motion to go into Executive Session at 5:45 p.m. for the purpose of pending litigation regarding Rhea Milardo. Invited into the Executive Session was Andrew Urban. Mr. Hall seconded the motion. The motion passed unanimously.

Regular Session resumed at 6:05 p.m.

No action taken.

ADJOURNMENT

Mr. Bishop made a motion to adjourn the meeting at 6:06 p.m. Mr. Hall seconded the motion. The motion passed unanimously.

Respectfully Submitted, (via tape recording)

Attest,

Suzanne Helchowski
Administrative Assistant

Noel Bishop
First Selectman