

Town of New Fairfield
Board of Selectmen
4 Brush Hill Road
New Fairfield, CT 06812

MINUTES (REVISED)
Board of Selectmen Special Meeting
Thursday, June 9, 2011
7:30 PM
Community Room at 33 Route 37

Members present:

John Hodge, First Selectman
Susan Chapman, Selectman
Monika Thiel, Selectman

Other Town Officials Present:

Ed Sbordone, Accounting Manager
Kim Hanson, BOE Chairman
Al Mardis, BOF Member
Ken Chapman, BOE Member

Call To Order First Selectman John Hodge called the meeting to order at 7:30pm

Correspondence and Announcements

First Selectman John Hodge spoke of the storm that happened tonight and noted that many homes don't have power. Mr. Hodge thanked the Emergency Service people and First responders for all their hard work during this storm and noted that no one was injured in this storm.

Mr. Hodge spoke of the artificial turf at the High School and noted that there was some premature wear and tear on the turf and the manufacturer has agreed to a complete replacement of the field. As a result the field and track will be closed for approximately 45 to 60 days.

First Selectman Hodge spoke of a grant application to help replace the bridge over Ball Pond Brook on Saw Mill Road. The town received notice today that they will receive an 80% grant on the project cost of \$1.4 million.

Proclamation

First Selectman John Hodge noted that he and Selectman Susan Chapman attended Relay for Life on Saturday, June 4th and it was a wonderful event. Mr. Hodge presented Kristen Scappaticci with a Proclamation for all her work in running Relay for Life over the years.

Public Comment

Holly Murtha asked about the status of the bridge by the Historic Houses. Mr. Hodge noted that this was an agenda item for tonight's meeting.

Phil Nelson asked about a lawsuit between the Zoning Board and the Zoning Board of Appeals.

Stacey Kenny spoke on behalf of Susan Monshaw regarding the Historic Houses and the bridge behind the Senior Center

Al Mardis asked about the ethics question regarding a conflict of interest of Richard Smith

Bill O'Keefe asked about the status of the lawsuit regarding the communications tower lawsuit.

First Selectman John Hodge explained the status of the lawsuit between the Zoning Board and the Zoning Board of Appeals.

Selectman Monika Thiel asked about the Zoning Board vs. Zoning Board of Appeals lawsuit and responded to Al Mardis regarding her opinion of the conflict of interest with Richard Smith.

Approval of Minutes

John Hodge made a motion to approve the minutes of the May 24, 2011 special meeting and the May 12, 2011 regular meeting as presented. Susan Chapman seconded the motion.

Vote: 3-0-0 (Motion approved)

John Hodge made a motion to approve the minutes of the June 3, 2011 special meeting as presented. Susan Chapman seconded the motion.

Vote: 2-1-0 (Motion approved-Monika Thiel opposed)

Vote on Conditional Hazard Mitigation Plan

First Selectman John Hodge spoke of a Conditional Hazard Mitigation Plan that the town would like to implement. Having this plan would make the town eligible for certain grants that they otherwise may not be eligible for. Scott Bignotti from the firm of Malone & McBroom spoke of the process of implementing this plan. The first part of this plan describes the FEMA program and the second part of the plan is specific to New Fairfield. This plan describes the geography and topography and things that tie into the town. Another part of the plan describes areas that are more susceptible to flooding or other types of hazards. The top three projects for New Fairfield were to upgrade the East Lake Brook Road crossing, improve the Candlewood Corners drainage system and to upgrade the culvert at Bigelow Corners to reduce flooding. Once adopted this plan needs to be updated every five years.

John Hodge made a motion that resolved that the Board of Selectman approve the Natural Hazard Predisaster Mitigation Plan at the meeting of June 9, 2011 as presented. Monika Thiel seconded the motion.

Vote: 3-0-0 (Motion approved)

Candlewood Lake Presentation

Monika Thiel made a motion to table this item until a special BOS meeting on Thursday, June 16, 2011 at 5:00pm. John Hodge seconded the motion.

Vote: 3-0-0 (Motion approved)

Recess

Susan Chapman made a motion to take a five minute recess at 8:15pm. John Hodge seconded the motion.

Vote: 3-0-0 (Motion approved)

John Hodge made a motion to come back from recess at 8:20pm. Monika Thiel seconded the motion.

Vote: 3-0-0 (Motion approved)

Budget transfers

John Hodge made a motion to make the following Intra-Departmental transfer in the amount of \$2,256.51. (Such document to be attached to the minutes of this meeting). Susan Chapman seconded the motion.

Vote: 3-0-0 (Motion approved)

<u>\$</u>	<u>Transfer To</u>		<u>\$</u>	<u>Transfer From</u>	
450.00	4470-110	Commission on Aging Salaries	450.00	4470-610	Commission on Aging- M & S
50.00	4155-610	BOAA-Materials & Supplies	50.00	4155-105	BOAA-Elected Salary
318.50	4153-337	Assessor-Audit-Personal Prop	318.50	4153-610	Assessors-Materials & Supplies
688.01	4460-610	Ball Pond Advisory-M & S	688.01	4460-110	Ball Pond Advisory-Salaries
1050.00	4120-110	Town Clerk-Salaries	750.00	4120-340	Town Clerk-Indexing & Micro
			300.00	4120-610	Town Clerk- M & S
<u>2,256.51</u>			<u>2,256.51</u>		

John Hodge made a motion to make the following Inter-Departmental Transfer in the amount of \$20,000. (Such document to be attached to the minutes of this meeting). Susan Chapman seconded the motion.

Vote: 2-0-1 (Motion approved-MonikaThiel abstained)

<u>\$</u>	<u>Transfer To</u>		<u>\$</u>	<u>Transfer From</u>	
20,000.00	4310-451	Public Works-Road Repair	20,000.00	4163-520	General Insurance-Property and Casualty
<u>20,000.00</u>			<u>20,000.00</u>		

John Hodge made a motion to make an Additional Appropriation (Town Meeting Required) in the amount of \$127,745.4. (Such document to be attached to the minutes of this meeting). Susan Chapman seconded the motion.

Vote: 2-1-0 (Motion approved-MonikaThiel opposed)

<u>\$</u>	<u>Transfer To</u>		<u>\$</u>	<u>Transfer From</u>	
127,745.41	301-4330-742-1	Cap & Non-Bridge & Drainage-East Lake	100,000.00	301-4100-7	Unappropriated Cap & Non
			27,745.41	2-001-3300-020	Revenue-Intergov-FEMA
127,745.41			127,745.41		

Vote to set a Town Meeting date

John Hodge made a motion to approve the following Warning: Notice is hereby given to the electors of the Town of New Fairfield and those qualified to vote at a Special Town Meeting to be held on Tuesday, June 28, 2011 at 7:30 P.M. in the Community Room @ 33 Route 37 for the following purpose to wit:

To consider and act upon an additional appropriation in the amount of \$129,826.61 of which \$100,000 from Unappropriated Cap & Non and \$27,745.41 from FEMA revenue for bridge and drainage for East Lake Brook Project. Dated at New Fairfield, Connecticut, the 9th day of June 2011. Susan Chapman seconded the motion.

Vote: 2-0-0 (Motion approved-Monika Thiel opposed)

Appointments

John Hodge made a motion to reappoint Mike Gill and Susan Chapman to the Housatonic Resource Recovery Authority. Monika Thiel seconded the motion.

Vote: 3-0-0 (Motion approved)

John Hodge made a motion to reappoint Jennifer Licht to the Inland/Wetlands Commission. Monika Thiel seconded the motion.

Vote: 3-0-0 (Motion approved)

John Hodge made a motion to reappoint Tom Bulger to the Permanent Building Committee. Susan Chapman seconded the motion.

Vote: 3-0-0 (Motion approved)

Personnel Report

John Hodge made a motion to approve the Personnel Report items #1-4 and #6-19 as presented. Monika Thiel seconded the motion.

Vote: 3-0-0 (Motion approved)

John Hodge made a motion to approve new hire #5 of the Personnel Report that states a \$10/hour payment against a commission that is determined by the Parks and Recreation Commission. Monika Thiel seconded the motion.

Vote: 3-0-0 (Motion approved)

State Police Contract

First Selectman John Hodge noted that there has been some issues with the State Police contract regarding how overtime is calculated for private functions. Mr. Hodge noted that he is hopeful that a resolution will be reached soon regarding this.

John Hodge made a motion that resolved that John Hodge, First Selectman for the Town of New Fairfield be and herewith authorized to execute a contract on behalf of the Town of New Fairfield with the Connecticut Department of Public Safety, Division of State Police for the services of five Resident State Troopers and one Resident State Trooper Sergeant for the period of July 1, 2011 to June 30, 2013. Susan Chapman seconded the motion.

Vote: 3-0-0 (Motion approved)

Pedestrian Bridge Update

First Selectman John Hodge spoke of the foot bridge that will be behind the Senior Center to the Historic Houses. A temporary bridge was put in when the Historic Houses were moved. A portion of the bridge was purchased thereafter. With the approval of the town land use boards and the knowledge of the DEP the bridge was shrunk to about 12 feet. Thereafter a local resident complained and that this bridge was potentially impeding the flood way over Ball Pond Brook. DEP then demanded that the bridge be removed within six months. Since then the town has been working with FEMA to prove that the bridge will not cause flooding anywhere else. The town will be filing with the Inlands/Wetlands board to put the bridge in. The cost of the bridge is being paid for from a STEAP Grant.

Supplement CLG Grant Application for Historical Preservation Inventory

Stacey Kenny from Preserve New Fairfield, Inc. and the Historic Properties Commission spoke of a grant application for the Connecticut Commission on Culture and Tourism regarding historic houses in town and appreciation for Historic Resources. Ms. Kenny gave an estimated project timeline.

John Hodge made a motion to authorize the first selectman to sign an application for a Connecticut Commission on Culture and Tourism Supplemental Certified Local Government grant for the CLG Program for 2011 as presented and to be attached to the minutes of this meeting. Susan Chapman seconded the motion.

Vote: 3-0-0 (Motion approved)

Change in Agenda

John Hodge made a motion to move Agenda item #17 (Discuss and possibly vote to make an application for a STEAP grant for the library) to Agenda item #14A. Susan Chapman seconded the motion.

Vote: 3-0-0 (Motion approved)

STEAP Grant application for the Library

First Selectman John Hodge spoke of the potential to apply for a STEAP Grant for the Library. The maximum amount of the STEAP Grant is \$500,000. Mr. Hodge noted that if the town has additional funds available for library it is possible that a second referendum to build a new library on Gillotti Road by the High School and Middle School may pass. Mr. Hodge noted that grant notification for the STEAP grant should come back in early September.

John Hodge made a motion to authorize the first selectman to sign a STEAP Grant application for a maximum of \$500,000 to be used towards the construction of a new library. Susan Chapman seconded the motion.

Vote: 2-0-0 (Motion approved-Monika Thiel recused herself and did not vote on this item)

Discussion of ethics questions

There was a question at the May 18th BOF meeting as to whether or not State Representative Richard Smith was able to represent a board in town or if that would constitute a conflict of interest. First Selectman John Hodge read a letter from Peter Lewandowski, Assistant General Counsel for the Office of State Ethics (Attached to the minutes). According to Mr. Lewandowski there is no conflict of interest and Mr. Smith can represent a board in town.

Donation to Parks and Recreation

John Hodge made a motion to accept a donation in the amount of \$500 from Kevin Clark for improvement to be made on the basketball courts and a \$2,500 donation from Stop & Shop for a sponsorship of the drive-in movie *Megamind* on Friday, July 15th and \$2,500 from Union Savings Bank for sponsorship for the drive-in movie *Toy Story 3* on Friday, August 19th. Susan Chapman seconded the motion.

Vote: 2-0-1 (Motion approved-Monika Thiel abstained)

Public Comment

Many members of the public spoke of the lawsuit regarding the cell tower. There was a discussion among the selectmen regarding Selectman Thiel's conversations with opposing counsel in the lawsuit regarding the cell tower. Some members of the public spoke about the lack of civility.

General Discussion: Items to be brought up by selectmen for future agendas

The Plan of Conservation of Development will be on the next agenda of June 23rd.

Adjournment

Susan Chapman made a motion to adjourn the meeting at 9:30pm. John Hodge seconded the motion.

Vote: 3-0-0 (Motion approved)