



TOWN of
THOMPSON

Board of Selectmen

Minutes: Regular Meeting

Tuesday, May 5, 2015

Thompson Historical Society/Old Town Hall

p. 1 of 10

The Pledge of Allegiance was recited.

Joe Lindley gave a brief history of the Town of Thompson.

First Selectman Paul Lenky called the meeting to order at 7:05 PM.

Present: Kerstin Forrester
Paul Lenky
Shaina Smith

Staff Present: Tina Fox, Recording Secretary

Also Present: Members of the Public

1. Approval of Minutes
 - a. **Shaina Smith moved and Kerstin Forrester seconded the motion to accept the minutes of the April 21, 2015 meeting with the following corrections:**
 1. Page 4, section c: 'She stated...' rather than 'sated.'
 2. Page 5, section e: correction that Jeff Barske had spoken to someone, rather than K. Forrester, and the person was Ted Bromlin.
 3. Page 4, section c: 'Kathy Thomas' should be spelled 'Cathy Thomas.'
 4. Page 4, item 6, section c: Clarification that the ordinance would be included as part of the annual Town Meeting.
 5. S. Smith suggested that the minutes be printed double-sided.Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - b. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept the minutes of the April 28, 2015 special meeting with the following corrections:**
 1. The minutes need a date and a starting time.Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - c. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept the minutes of the May 5, 2015 special meeting with the following corrections:**
 1. Third bullet from the bottom should say 'for at least three individuals.'
 2. Top of the page, 'Selectmen' rather than 'Selectment.'Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.

- d. **Kerstin Forrester moved and Paul Lenky seconded the motion to accept the minutes of the May 5, 2015 special meeting as written.**

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Abstain

The motion carried.

2. Correspondence

- a. K. Forrester presented the following correspondence:
1. The monthly tax report.
 2. Email from Noel Lafayette regarding the solar site at the TWPCA, stating that they will not be going forward with the project because the land owned by the Town is not sufficient, but they will be going forward with the project behind Town Hall for the school.
- b. S. Smith presented the following correspondence:
1. Letter from the FOI Commission on April 28 regarding an FOIA issue that no action will be taken on.
 2. NEECOG minutes from April 24, 2015 meeting.
 3. Invitation to the open house on Sunday May 17 at the Tristate Baptist church at 11:00 AM.
 4. Letter from Don Pimental requesting to be placed on the BOS agenda for May 5, 2015 regarding the road list dated July 29, 2015.
- c. P. Lenky presented the following correspondence:
1. Letter from Attorney St. Onge stating that it was confirmed that there are no missing records in the Town Clerk's office; the records had been misfiled but have been found.
 2. List of utility company subcontractors that Marianapolis will be using for the coming year.
 3. Letter sent to Eversource from Donald Janowski regarding his car being damaged because of unavoidable debris being on the road due to tree removal.
 4. Information regarding the big mill in Thompson. They owe the Town of Thompson \$115,000, and the Town will receive \$4,700, but will have continued liens for four years. Also, Crabtree and Evelyn will be moving out of the mill in two weeks and moving to Putnam. S. Smith stated that she believed another business will be moving in there.

3. Selectmen's Comments

- a. K. Forrester mentioned a handout given to the Selectmen regarding the Town Clerk.
- b. **Shaina Smith moved and Paul Lenky seconded the motion to add 'Discussion and Possible Action for Town Clerk' under Other Business on the agenda.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- c. K. Forrester asked if there was any information regarding the Charter Communications meeting on April 26th. P. Lenky responded that he did not attend the meeting.
- d. K. Forrester asked if the Building Office was now open on Fridays. P. Lenky answered that it was not open on Fridays yet.
- e. K. Forrester mentioned that at the previous meeting, she stated that the current Town Clerk would not be training the new Town Clerk. She corrected that the current Town Clerk would be training the new Town Clerk.

- f. K. Forrester stated that at the last BOS meeting, Mr. Baer stated that mediation is available for FOIA violations. K. Forrester stated that she talked to Tom Hennick and was told that the two parties have to agree to mediation.
- g. S. Smith asked if Mary Ann Chinatti has had any further conversations with the attorneys that represent Wells Fargo regarding requirements for the grant. P. Lenky responded that they are still in discussion.
- h. S. Smith asked about the grants for sidewalks. P. Lenky responded that the time frame had already passed for the grants.
- i. S. Smith asked if the Town has gone out to bid for cleaning services for Town Hall. P. Lenky responded in the negative.
- j. S. Smith asked about getting recordings and minutes of older meetings back up online. P. Lenky responded that he has not looked into that yet.
- k. S. Smith asked why a complaint was not filed with the state police in regards to the possible missing records in Town hall. She stated that, in the future, if something is missing, a complaint should be filed with the police so that there is at least a paper trail.
- l. S. Smith had some questions about a letter regarding the July 29, 2014 road document. She asked if the Selectmen's Clerk computer is different from the Personnel Director computer, to which K. Forrester responded affirmatively. S. Smith asked if it was confirmed with the State that the road list is due at the end of June. P. Lenky stated that the list always goes to the State in June or July. S. Smith asked if the First Selectmen had access to the computer. P. Lenky responded in the negative, and K. Forrester stated that the IT person can access the computer if needed. S. Smith asked if K. Forrester got anywhere with the investigation. K. Forrester responded that she did not get anywhere and that she spent hours looking, including looking through records in the Town Clerk's office. She specified that she had Cheryl Darling, the Assistant Town Clerk, watch her while she looked through records, and had no pen in her hand while she looked through the records. K. Forrester mentioned that the State was asked where they received the document from, and they seemed confused by the question.
- m. S. Smith asked what the requirements are to get on a BOS agenda, referring to the letter from Don Pimental asking to be put on the agenda.
- n. S. Smith thanked the participants of the little league parade and the French River Clean-up.
- o. P. Lenky mentioned that the Quaddick Road Bridge project is still moving forward and on line with the anticipated completion date. He also mentioned that there would be a meeting at Town Hall on May 14, 2015 at 11:00 AM regarding the Marianapolis project.
- p. P. Lenky mentioned a new program involving the State replacing stop signs in Town.
- q. P. Lenky briefly discussed a meeting that occurred with Charter Communications earlier that day to propose a contract with the Town to replace the phone system at Town Hall.
- r. P. Lenky stated that the Town received guide posts from the State for free to replace the broken guide posts in Town. He further stated that work will be finished on Buck Hill Rd. soon, and then the Lots will be worked on before June.

- s. **Kerstin Forrester moved and Shaina Smith seconded the motion to add 'Set the Date for the Town Meeting' to Other Business on the agenda.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.

4. Citizen's Comments (Limit 3 minutes)

- a. Paul Baer, 1227 Thompson Rd., stated that the first notice regarding FOIA complaints states that mediation is available, so to say that it is a surprise that mediation is available is not true. He stated that he's spoken to Mr. Hennick regarding mediation, and that he's never gotten any attempt on mediation on any other complaints and has never rejected anyone's request for mediation. P. Baer stated that it was said that the July 29 road list came from Leo Adams, but he says he did not give that information. He stated that at another meeting, it was said that the road list came from Mary Ann Chinatti, who got it from Leo Adams. He stated that now that it has been found out that it's not a Town road, they [residents] should get a refund for their driveway permits. He read a State statute that said the unlawful removal or alteration of records is a felony and subject to imprisonment for not more than ten years. He stated that the forgery and fraud being used at a public meeting constitutes fraud and alteration of a public record. He stated that the removal of thousands of records from the Town's website also constitutes fraud. He stated that someone altered the document and it was not a minor alteration. He stated that it is ludicrous to submit the road list to the State in July because it is past the deadline. He mentioned that you [the Selectmen] are going to file and amended report, but the report was never filed in the first place. He asked who wrote the draft of the letter and who typed it up. He asked when the .33 was added [referring to the length of Starr Rd. on the July 29, 2014 document]. He stated that the only thing that would have benefited from the alteration would have been a possible sub-division on New Rd. He reiterated that this is a felony. He added that the website incorrectly has the Board of Selectmen written as 'Board of Selectman' in numerous locations.
- b. Don Pimental, 40 Starr Rd., stated that he has an email from the State Department of Transportation stating that the deadline to submit road list documentation has passed, and the State had not received by the Town of Thompson. In regards to the Selectmen stating that the document came from the Selectmen's Clerk computer, he asked how the Selectmen knew if came from that computer, because they would need a technician to come in and look at the hard drive. He stated that he knew where the document came from and how it was made, and the Selectmen need to hold that person responsible. He stated that he will continue to go to meetings until the State comes down and figures out where the document came from. He stated that he went to the State police to start a formal investigation regarding the map that is missing in the Assessor's Office.
- c. Kevin Walsh, Blaine Rd., asked that the website questionnaire be posted on the website. He stated that the Board has had plenty of time to answer a simple question. He added that the Board has stated they've conducted an investigation, and he thinks the Board is in over their heads in regards to this issue and that someone needs to come in who know what they're doing to investigate. He requested that the First Selectmen call the FBI first thing in the morning to have them come take a look at the situation.

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- d. Christine Campbell, 61 Thompson Rd., asked about having Town meetings be recorded on video instead of just audio. She stated that if you're not sitting at the meeting, you don't see faces and get a feeling for emotion and intent. She stated that she knows Charter provides equipment for free to Towns, and she would like to see if Thompson could get that equipment. P. Lenky responded that Charter Communications offered the free equipment years ago, but does not offer it anymore. C. Campbell asked if someone could just bring a camera and record it.
- e. Sally White, East Thompson Rd., asked for the following: information regarding who the Board selected for the Assessor's Position, an update on Quaddick Road Bridge, list of local contractors that have been employed in the Marianapolis project, information regarding the level of effort that has gone into planning in terms of the equipment the Town has for the road paving work, information regarding the level of effort between the Board of Selectmen and Economic Development Commission in terms of planning with the Town and the Town's resources, and the level of effort into the Rivermill complex. She stated that two cars went under the arms of the railroad crossing on Route 12 and that she would like to see something happen with that situation. She also stated that she would like a report on the level of effort going into the Rivermill Village. She mentioned concern about the drug activity and crime at the Rivermill Village. She stated that there are many vehicles with Massachusetts plates there and she is curious about that.
- f. Jason Lavallee, 83 Bridge Rd., stated that he would like to file a formal complaint against Alvan Hill. He stated that he is building a house across the street from A. Hill. He stated that A. Hill came to his property to ask him questions, and he told A. Hill that it was none of his business. He stated that A. Hill told him that he (J. Lavallee) shouldn't cross him (A. Hill). He added that the Woodstock Building Official informed him that A. Hill came to his office with pictures of the foundation and false accusations. He stated that A. Hill is being very hostile. He added that A. Hill issued a cease and desist order on a sign at Webster Lake Variety that had been approved by the Planning and Zoning Commission.
- g. Bruno Gilbert, 262 Thompson Hill Rd., stated that what J. Lavallee stated about A. Hill being hostile is correct. He stated that when he was building his house 16-17 years ago, A. Hill gave him a very hard time. He stated that A. Hill actually turned him into the State fraud division and falsified information to the State building official. He added that the issue was straightened up, but that being in a situation that he had to defend himself was unusual. He added that he has worked in many communities and none of them have ever required an A2 survey. He mentioned that an A2 survey is accurate within about a quarter of an inch. He asked why a Zoning official would arbitrarily have the right to require an A2 survey, without the Planning and Zoning Commission having a regulation regarding that.
- h. Shawn Bassette, 21 Fairway Dr., asked that the Board take these citizen's comments regarding A. Hill seriously. He stated that public servants are supposed to be helpful, and that A. Hill is almost anything but that. He stated that people who have to deal with him will say that he drags things out and creates problems. He stated that A2 surveys are very costly and not needed. He said A. Hill brings an adversarial attitude to any position. He mentioned that he is not sure if A. Hill was the best person to hire as ZEO in terms of helping the community. He added that within months of being hired as ZEO,

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he was harassing the business owners of Webster Lake Variety. He added that the Board should consider if that's the attitude we want in Town Hall, and that he does not get that attitude from anyone else at Town hall.

- i. Joe Gaucher, 519 Riverside Dr., stated that there is a lot of debris along Cumberland Farms that comes from the Rivermill Village. He added that a train stops by Cumberland every so often, and it is making the gates go down.
- j. Paul Baer, 1227 Thompson Rd, asked that if the budget does not pass, the Board of Selectmen ask the Board of Finance to restore the money for the road work, and that the library needs to look at volunteer services.
- k. Don Pimental, 40 Starr Rd, stated that he attended a Wetlands Commission and Planning and Zoning Commission meeting and brought to their attention that there have been some A2 surveys presented that are not accurate. He stated that the Commissions should be making sure that the A2 surveys are accurate.
- l. Sally White, East Thompson Rd., asked if the Board would be addressing her questions. K. Forrester stated that they cannot address who has been selected for the Assessor's Position until the person accepts the position. S. White asked for info on Quaddick Rd. Bridge. S. Smith stated that P. Lenky provided the information already, and P. Lenky reiterated the information. He stated that they hope to work on the bridge at the beginning of August. S. White asked for the list of Marianapolis contractors. P. Lenky provided her with the list, and added that the Board has no jurisdiction on who they hire.
- m. Jason Lavallee stated that he would like the Board to consider merging the Wetlands Agent position with the ZEO position.

5. Letters of Appreciation for Clean-up

- a. P. Lenky read a letter to Al Landry regarding the clean-up of the flower bed at Town Hall.
- b. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept the letter for Al Landry as read.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- c. P. Lenky read a letter to Joshua Butts and Logan Miller regarding the clean-up at Thompson Town Hall.
- d. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept the letter for Joshua Butts and Logan Miller as read.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- e. P. Lenky mentioned that 69 Riverside Dr. will have its windows boarded up and painted before Memorial Day.
- f. K. Forrester asked that the Town Attorney be contacted again regarding 65 Main St.

6. West Thompson Fire Department Roof

- a. P. Lenky mentioned that the money for the West Thompson Fire Department Roof had been received, and thanked Mary Ann Chinatti for her work related to this issue.

7. Letter of Resignation – David Kress
 - a. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept the Letter of Resignation from David Kress.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - b. S. Smith asked that the Town Committees be notified of this vacancy and a few other recent vacancies.
 - c. K. Forrester mentioned that an alternate seat will need to be filled.

8. Procedure for Memos/Letters
 - a. K. Forrester mentioned a proposed procedure for memos and letters as a response to the frustration of having two documents recently this no author listed. K. Forrester read a letter into the record.
 - b. S. Smith mentioned that anyone can change information on Microsoft Office, and that it is more difficult to alter documents saved as a PDF.
 - c. **The Board continued their discussion regarding the procedure for memos and letters.**
 - d. **Shaina Smith moved and Kerstin Forrester seconded the motion to add 'Procedures for Memos and Letters' to the agenda for the next meeting.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.

9. Town Clerk Agreement
 - a. K. Forrester stated that Jeff Barske was currently on vacation so he could not attend the meeting and did not sign the draft of the agreement. The Board agreed to add this discussion to the agenda for the next meeting so that Jeff Barske could sign the document before the Board does.

10. Turn Key Fuel Tank
 - a. S. Smith stated that she did not have a chance to look at the information to the extent that she would have liked to.
 - b. K. Forrester mentioned that two of the companies (Service Station Equipment and LaMountain Brothers) stood out because they provided things that the other companies did not address. She stated that the lowest price was \$234,00, but that the company listed no detail for what the price includes. She stated that the second lowest was Service Station Equipment at \$242,800, and LaMountain Brothers was \$282,900. K. Forrester specified that she would lean towards LaMountain Brothers if it were her money, but because of the price difference, she does not think there is sufficient reason to choose LaMountain Brothers over Service Station Equipment.
 - c. S. Smith suggested that the Board should schedule a meeting with Leo Adams.

11. Tax Abatement
 - a. **P. Lenky read a letter from Rene Morin, Thompson Tax Collector, regarding proposed tax abatements.** The letter stated that the entire amount totaled \$10,980.52 in tax, and that none of that will ever be collected because they are inappropriate bills.
 - b. **Kerstin Forrester moved and Shaina Smith seconded the motion to approve the tax abatements as read.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.

12. Road Updates

- a. P. Lenky mentioned that the Town is finishing the street sweeping. He stated that Buck Hill will be the first to be paved, and then the Town will start working on the Lots.
- b. K. Forrester asked if a plan had been laid out. P. Lenky stated that a company would be coming into Town next week to discuss the project further and make a proposal.
- c. S. Smith asked who is responsible for hiring the company that would be coming in next week. P. Lenky responded that Public Works hired the company in the past.
- d. K. Forrester stated that the company should put something in writing, and that it shouldn't just be an agreement between Leo Adams and that company.
- e. K. Forrester suggested adding to the special meeting agenda next week to discuss the situation further.

13. Other Business

- a. Discussion and Possible Action for Town Clerk
 - 1. K. Forrester mentioned that the Assistant Town Clerk, Cheryl Darling would be retiring right after the election. She stated that C. Darling would be training a new assistant in September and October. She added that C. Darling will be taking a two week vacation in July that Jeff Barkse, the Town Clerk, will not be able to cover. C. Darling reached out to former Town Clerks Ann Bushey and Cathy Nurmi who are willing to cover her vacation at a rate of \$17 per hour. She stated that that would not be a budget overrun because of this.
 - 2. **Paul Lenky moved and Kerstin Forrester seconded the motion to use the former Town Clerks to fill in as discussed for our Assistant Town Clerk while she is on vacation, pending the information that the Board receives in regards to their resumes and certification.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - 3. S. Smith asked that the two individuals provide documentation regarding their certifications and resumes before they are hired.
- b. Annual Town Meeting
 - 1. P. Lenky read a statement that the Board of Selectmen will send to Town Meeting on Monday, May 18, 2015 at 7:00 PM at the Town Library for Fiscal Year 2015-2016 Proposed Budget. The Referendum will be on May 27, 2015 from 12 PM-8PM. The proposed budget is \$24,192,518.
 - 2. **Kerstin Forrester moved and Shaina Smith seconded the motion to set the Town Meeting date on Monday, May 18, 2015.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - 3. S. Smith asked that a Town Meeting notice be posted on the website.

14. Citizens' Comments on Agenda (Limit 3 Minutes)

- a. Christine Campbell asked what the proper procedure is when the Town goes out to bid. She stated that her belief was that if the lowest bid meets all the requirements then that is the bid that should be chosen. She stated that Service Station Equipment was the lowest bid for the Turn Key Fuel Tank bid. K. Forrester explained that there was another bid that was lower that the Post Office failed to provide on time, but the bid had been submitted on time. C. Campbell asked if that lowest bid is being considered for the job, or if only LaMountain Brothers and Service Station are being considered. P. Lenky responded that all bids are being considered, and that narrowing it down to Service Station and LaMountain was just part of someone's opinion. C. Campbell stated that the vice president of Service Station lives in Thompson and is very active in Thompson. She stated that he is the Coach of a little league team, and his wife is President of the PTO at the middle school. She added that Service Station was the lowest bid to be read at Town Meeting (meaning the Board of Selectmen meeting where the bids were read). She stated that LaMountain is out of Oxford, MA and Service Station is out of Uncasville, CT. She added that Service Station was the lowest bid because ETT was not in the minutes and not read at the meeting. She stated that she would like these notes in the record because Service Station met what they were supposed to meet, was the lowest bid read at the meeting, lives in town, and the company is in Connecticut and not Massachusetts. She added that she does not like the way she is hearing this right now and it does not sound quite right to her.
- b. Cathy Thomas asked if there is a limitation on how much money can be encumbered in regards to road paving, and why it can't be encumbered next year.
- c. Wayne O'Brien, 108 Fabyan Rd., stated that every computer has its own markings, so that when something is generated from a computer, it can be tracked to that computer. He stated that if the Board is looking to track something generated in Town Hall, the Board needs to find someone capable of tracking it, and that our documents should be secure and safe.
- d. Paul Baer, 1227 Thompson Rd., stated that the letter that was sent does not follow the procedures for memos and letters discussed. He stated that the Board should consider using a program called PDF Printer, because the documents are not alterable if protected. He stated that Thompson is losing a jewel, referring to the retirement of the Assistant Town Clerk, and that it will be a great loss when she leaves. He stated that he would like to see more employment opportunities on the Town website, because if people are searching for employment opportunities on the web, that will come up on a search engine. He mentioned that it was reported that Thompson was found in violation, but no civil penalty was issued, but the FOIA committee has not issued a penalty in five years. He added that K. Forrester asked a question about the Marianapolis project being on schedule, and it was never answered.
- e. Don Pimental, 40 Starr Rd., stated that the Assessor has every copy of the road list, so if anyone needs a copy, they can access it. He stated that the copies clearly state what we have been saying since last year. And that the person who made the document needs to come forward and face the music.

- f. Christine Campbell mentioned that the Vice President of Service Station who lives in Town was at a little league game that night, which is the only reason that he was not present at the meeting. She stated that she wants that out into the record.

15. Tax Refunds

- a. **Kerstin Forrester moved and Shaina Smith seconded the motion to approve the following tax refunds:**

- 1. Cab East LLC/Samantha Thompson for \$321.78
- 2. Jayson Livingstone for \$50.96

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes

The motion carried unanimously.

16. Adjourn

- a. **Shaina Smith moved and Kerstin Forrester seconded the motion to adjourn.**

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes

The motion carried unanimously.

- b. P. Lenky adjourned the meeting at 9:30 PM.

Tina Fox
Recording Secretary