



TOWN of
THOMPSON

Board of Selectmen

Minutes: Regular Meeting
Tuesday, September 15, 2015
Merrill Seney Room, Town Hall

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The Pledge of Allegiance was recited.

First Selectman Paul Lenky called the meeting to order at 7:01 PM.

Present: Kerstin Forrester
Paul Lenky
Shaina Smith

Staff Present: Tina Fox, Recording Secretary

Also Present: Members of the Public

- I. Approval of Minutes
 - A. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept the minutes of the September 1, 2015 regular meeting with the following corrections:**
 1. Page 1, Section II(B)(4): Clarification that the memo from Mary Ann Chinatti was regarding questions about the hours raised by a FOIA request from Shaina Smith.
 2. Page 2, Section III(B)(3): "...BOF discussion" rather than '...BOF approval.'
 3. Page 4, Section VII(A): "...were able to keep..." rather than '...we're able to keep...'

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

The motion carried unanimously.
- II. Correspondence
 - A. K. Forrester presented the following correspondence:
 1. Noel Lafayette sent an update regarding the solar project. A special BOS meeting has been scheduled for September 22nd; bids for the library will also be opened at that meeting.
 2. Tax collectors report for the month of August.
 3. Flyer stating that 'Muddarella' will be held at the Speedway on October 3rd, sent by Steve Benoit.
 - B. S. Smith presented the following correspondence:
 1. TWPCA minutes from September 10, 2015.
 2. Thompson Business Association newsletter. They are still working on the brochure to highlight local businesses and are short in terms of participation. There will be an event at Four Corners on September 21st.
 3. K. Forrester mentioned that TWPCA will be doing smoke testing on the sewer lines the week of October 5th and will be sending notices to residents.
 4. Letter written by S. Smith and signed by Leo Adams stating that he was not the author of the road list that showed Starr Rd. being .339 miles long.

5. A letter (attached to these minutes) written by S. Smith that was sent to State Chief Attorney's office was read aloud.
 - a. K. Forrester asked if the response will be sent to S. Smith's private residence or if it will be sent to the Town. S. Smith answered that it will be sent to her personal address because it is a complaint that she filed. K. Forrester stated that if she is filing as a Selectman, then the response should be sent to the Town.
- C. P. Lenky presented the following correspondence:
1. Wetlands Permit for the State for the Quaddick Road Bridge, filled out by CLA Engineering.
 2. The Executive Assistant to the First Selectman will be out of the office for a short period of time, and Tina Fox will be filling in while the Executive Assistant is gone.
 3. Quinebaug Fire Department has been awarded a volunteer fire assistance grant.
 4. Letter from River Junction Estates, LLC requesting the Town gravel a portion of Starr Road, the gravel to be provided by River Junction Estates, LLC.
 5. **Shaina Smith moved and Kerstin Forrester seconded the motion to add 'Discuss Letter from River Junction Estates, LLC Regarding Graveling Starr Road' under 'Other Business' on the agenda.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- III. Selectmen's Comments
- A. K. Forrester presented the following Selectman's Comments:
1. The Secretary Clerk position for the Selectman's Office has been posted for at 15 hours per week (10 with Town garage, and 5 in the Selectman's Office).
 2. Three employee meetings were held to discuss the file access procedure, and it was made clear that the policy applies to employees as well. Time sheets and time off request sheets were reviewed. OSHA and safety were discussed, and the insurance company has been asked to come in and give a safety briefing, as well as to the five fire departments. A new travel reimbursement form was introduced by the Finance Director. The following personnel policies were reviewed: absenteeism and tardiness, dress code, non-work related activities, reporting time worked, confidential information, conflict of interests, gambling, personal relationships at work, smoking, equal employment opportunity, discrimination and harassment. Employees were appreciative of the fact that the Executive Assistant is now taking account of employee's time off, so that information is now available to employees.
 3. Gasoline contamination was discovered at the Town garage, so the fuel tank project has been put on hold for a week or two to remediate the ground around the fuel tank. An inspection of wells around the Town garage shows no contamination to surrounding wells. The contamination appears to be a spill from overflowed gas that could go back 10 or more years.
 4. A library pre-bid conference was held on September 10th. Bid packages will be opened on September 22nd at a Special BOS meeting.

- B. S. Smith presented the following Selectman's Comments:
1. The Town has an opportunity to utilize a unique piece of equipment to improve Reardon Road and Blain Road. There are funds available within Public Works to do this type of project. The equipment is a machine that recycles the existing asphalt, mixes it with oil, then puts the mixture back on the surface. The company that owns the equipment would like to know if Thompson would like to utilize the equipment. The cost would be about \$90,000.
 2. **Kerstin Forrester moved and Paul Lenky seconded the motion to add 'Discuss Blain Road and Reardon Road and Possible Action' under 'Other Business' on the agenda.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 3. S. Smith suggested waiting until after the election to hire for the Secretary Clerk position, or to invite the candidates who may take office to be included in the hiring committee, along with Leo Adams. K. Forrester stated that there is a lot that needs done in the office, particularly for Leo Adams.
 4. S. Smith stated that she takes notes during Citizen's Comments and that she would like to see any questions and answers during Citizen's Comments reflected in the minutes.
 5. S. Smith asked that if a time has not been set for the Special BOS Meeting on September 22nd, then she would like to collectively figure out a time of day the meeting could work for everyone. She stated that she travels the most in September, but would like to be at the meeting.
 6. A list is now sent to the Selectmen along with the meeting minutes detailing items on which action needs taken, which S. Smith said is helpful and holds the Board more accountable.
 7. It is S. Smith's understanding that the Inspector will submit her letter to the Chief Attorney and then a small group of people will decide if they should come into Thompson to investigate. S. Smith also asked that her letter be attached to these minutes.
 8. S. Smith asked if the guard rails that are being taken down as part of the Marianapolis Sewer project are being re-used. P. Lenky answered that the wooden ones are given back to the Town, but the steel ones do not get saved.
 9. S. Smith asked if the Board is researching installing new cameras at the library. K. Forrester answered that it will be a small price that won't be required to go out to bid, and that she is looking at a couple of choices.
 10. S. Smith asked about the Executive Session that Ken Weinstock had suggested, and asked P. Lenky to contact K. Weinstock to have him provide dates for when he could attend a meeting. P. Lenky answered that K. Weinstock was not able to attend this meeting, and K. Forrester added that he can only attend during the day rather than at night.
- C. P. Lenky presented the following Selectman's Comments:
1. The Marianapolis Sewer Project is experiencing delays because a drill head got stuck. The setback will not impact the direction of the project, just the time frame.

IV. Citizens' Comments (Limit 3 Minutes)

- A. Don Pimental, 40 Starr Rd., stated that the Town should be more worried about a lawsuit from neighbors, rather than a lawsuit from a developer. He stated that the Town cannot take the road without eminent domain, and that it is the Town's burden to prove who owns the road. He stated that if anyone makes a cul-de-sac today, they can't go past 1,000 feet. He added that it is 'a bunch of bull' for the Town to all of a sudden improve a road for 'him,' and that 'we're not taking it.'
- B. Kevin Walsh, Blain Road, asked what the statute was that P. Lenky quoted earlier, to which P. Lenky answered that it was Section 13 A-63, Highways and Bridges. He stated that he thought it had been determined in a letter clearing it up and sending it to the Department of Transportation, removing the .339 miles for Starr Road, which was never submitted on any road list ever. He stated that he does not know how you can remove something that was never there. He stated that he is concerned with the letter from the Highway Foreman saying he did not submit the road list to the Board, but the citizens were told over and over again that he did submit it. He stated there is a problem with a repetitive lack of truth, and that Starr Road is .15 of a mile. He added that the Board of Finance may want to be involved because there will be expenses to the Town, and thanked S. Smith personally, because "accountability, responsibility and transparency is something that is rare around this room."
- C. Don Pimental, 30 Starr Rd., stated that he lives at the end, and that his son couldn't get 'up there' so he had to give him half an acre so that he could get in.
- D. Ken Beausoleil, Walker Dr., stated that he spoke to Alison at the library, and she finds nothing wrong with the camera system that K. Beausoleil had installed when he was a Selectman. He stated that the hard drive failed, but was repaired and is working correctly now. K. Forrester stated that Alison had brought the camera problem to her attention, and that she had not presented this new information that the cameras are now working properly. K. Beausoleil added that the issue with Starr Rd. is very important to be considering and not do anything rash. He stated that either himself or Steve (Herbert) is going to end up with the problem, and to proceed cautiously so that the Town doesn't endure more expenses.
- E. Don Pimental, 40 Starr Rd., read from a State statute. He asked how the Town abandons a road, and added that the Town just left it there forever when the Town abandoned it. He mentioned that Bushy Rd. was a wagon path that was paved in 1994 and eventually abandoned by the Town. He stated that it's amazing how the Town is bending over for a developer. He added: "I do not want to sue the Town of Thompson, but you're forcing my hands. I got no choice but to do what is right." When asked, he stated that the statute he read was 13 A-55. He mentioned another property called the Richardson property at 0 New Road that can never be used because it is land-locked. He added that John Rice told 'Rawson' that the area cannot be a buildable lot, and asked how it is buildable today.
- F. Al Landry, Randall Rd., stated that he wanted to talk about the Planning and Zoning Commission ordinance to lower their member numbers. He stated that he voted on the Ordinance when he was a PZC member, so he did not vote on it as an Ordinance Committee member. He stated that the ordinance should have been taken care of 2 years ago, and that it might have to wait another 4 years now. He stated that you can't tell someone who is a voted member that they are being kicked off, and that it may have to wait 4 years when four full time member's positions come up.

- G. Kevin Walsh, Blain Rd., begged the Board to see to it that they make their business to stay out of the business of picking winners and losers. He stated that he is looking for a Board that takes factual information at face value. He added that he is seeing a distinct and clear bias in regards to promoting an agenda of a private citizen to enhance financial gain, and that it is morally and ethically wrong.
 - H. Don Pimental, 40 Starr Rd., stated that it is also the Board's job to look out for the citizens of Thompson.
 - I. Gail Livingstone, 55 Starr Rd., stated that D. Pimental mentioned an adjacent property which is listed as New Road. She stated that River Junction Estates, LLC has seven lots, two on East Thompson Rd. and five on New Road. She explained that if the property is listed as New Road, she does not know why there is a question about Starr Rd. access.
- V. Eversource CLEAResult Update- Jordan Stern
- A. Jordan Stern explained that a lighting analysis for Town Hall and the library was conducted. He presented information to the Board regarding the proposed update. He explained that the cost for Town Hall would be \$148 per month, listed on their electric bill, with maintenance included the first year.
 - B. S. Smith asked if there were areas of the building that the lights didn't necessarily need to run, to which J. Stern answered that he believes the proposal includes any special situations like that. He stated that the life of new LED lights is much greater.
 - C. S. Smith asked if the proposal included outside lights, to which J. Stern answered affirmatively. He mentioned that they will need a permit to perform the work, which has a fee, and asked if the fee would be waived since the work will be done at Town Hall itself. The Board agreed to look into that.
 - D. J. Stern explained that Eversource did not get back in time to confirm the cost at the library. He presented the Board with a draft library proposal.
 - E. The Board was also presented information regarding the outdoor lighting at the library. S. Smith was concerned about the amount of time it would take for the lights to turn on, and was told that the bulbs would be instant-on.
 - F. J. Stern informed the Board that the money for financing is reserved until November 7, 2015.
 - G. Ken Beausoleil mentioned that Town Hall has an upcoming solar project, and wanted to make sure the Town would still be eligible for this incentive despite the solar project, to which he received an affirmative answer.
- VI. C-PACE Presentation – Alexei Kovtunenکو, CT Green Bank
- A. Alexei Kovtunenکو stated that C-PACE is a program for commercial, industrial, non-profit, and mutli-family dwellings. He explained that, for residents, Green Bank offers loans paid over 10-15 years, and that C-PACE was enabled by legislation three years ago, and has loan repayment periods up to 20 years. The Town's role would be that the Town levies a benefit assessment lien. Any administration costs can be recovered from Green Bank. He stated that 110 Towns out of 169 in Connecticut have agreed to participate. He explained that Green Bank pays to have the tax collection software upgraded, and bills are automatically generated and sent to the property owner, and that the Town has no obligation to go into collection for delinquencies. There would be a separate bill that is generated and mailed with the tax bill. The project is applicable to both new and established businesses. A legal agreement obligates Green Bank to pay the Town \$500 per year for administration costs, and any costs incurred over \$500 can be requested in addition.

C-PACE markets the program and Towns can request marketing materials. K. Forrester asked if there was any cost to the Town. A. Kovtunenکو answered that there is no cost to the Town; every cost is covered by Green Bank.

- VII. Neighborhood Watch Update- Fred Cody
 A. P. Lenky mentioned that Fred Cody could not attend the meeting, and would like a list of people interested in Crime Watch.
- VIII. Approval Additional Personnel Policy- Sexual Harassment
 A. K. Forrester explained that there was no Town Sexual Harassment Policy in place. The Town is required by law to post something that says sexual harassment is illegal. She presented a proposed sexual harassment policy, the body of which was taken from the State of Connecticut.
 B. S. Smith asked if this policy was in place prior to this meeting, to which K. Forrester answered in the negative. K. Forrester also explained that employees received a copy of the policy, and signed a paper to confirm that they received the policy and must read and understand it.
 C. **Shaina Smith moved and Paul Lenky seconded the motion to approve the additional personnel policy regarding sexual harassment.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- IX. Addendum to Driveway Permit Request
 A. P. Lenky explained that the addendum would just be an addition to the permit, and that the regulation about tracking pads is already in the ordinance. The addendum is a reminder that the ordinance stipulates that tracking pads are required.
 B. S. Smith mentioned that the ZEO's signature was on the first proposed change to the Board. P. Lenky stated that neither the ZEO's nor the Building Official's name is listed because the First Selectman issues the driveway permit, and it is inspected by the Highway Superintendent, who is responsible for enforcing it.
 C. **Kerstin Forrester moved and Shaina Smith seconded the motion to approve the addendum to the driveway permit application as submitted.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- X. Approval Refinance 2007 General Obligation Bond for School Renovations
 A. K. Forrester explained that the Town has the opportunity to save about \$300,000 by refinancing the bond that was issued for school renovations in 2007. She explained that the current interest rate is 4.11% and the projected new rate would be 2.45%, and refinancing will not extend beyond the life of the original bond.
 B. **Kerstin Forrester moved and Shaina Smith seconded the motion to approve the refinancing of the 2007 bond.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- XI. Appointment to Community Fire/Police- Ernest Vandale
 A. **Kerstin Forrester moved and Shaina Smith seconded the motion to approve the appointment of Ernest Vandale to Community Fire/Police.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.

XII. Road Updates

- A. P. Lenky stated that work is being continued at the Lots, and that chip sealing will begin the next couple weeks. Sand Dam, Church, Stawicki, and Messier Roads are being worked on.
- B. K. Forrester asked that Leo Adams provide how many miles of road the work consists of.
- C. P. Lenky stated that road berms are being completed on Buck Hill and Chase Roads.
- D. S. Smith asked that when outside contractors are performing work, the Town requests that they do some kind of traffic control, because she witnessed unsafe conditions. P. Lenky answered that they can use community fire/police to do traffic control, and they were being utilized.

XIII. Other Business

- A. Discuss Letter from River Junction Estates, LLC Regarding Graveling Starr Road
 - 1. P. Lenky suggested that the Board not act on this letter, and let the situation run its course.
 - 2. S. Smith asked if P. Lenky got clarification about the definition of 'highway.' P. Lenky answered that the question was referred to the Land Use Attorney, who said the statute in question that refers to a 'highway' does apply to Starr Rd.
 - 3. P. Lenky stated that nothing shows that Starr Rd. was abandoned. He added that the residents should settle this dispute amongst themselves, and if they want to sue each other, then that is their business.
 - 4. K. Forrester agreed with P. Lenky, and explained that the Board has not had sufficient time to look consider the letter.
 - 5. S. Smith asked if the Board knows what the site walks referred to in the letter are for. P. Lenky stated that he doesn't know.
 - 6. **Kerstin Forrester moved and Paul Lenky seconded the motion to put discussion of the letter from River Junction Estates, LLC on hold and do not act on it until the Board has sufficient information.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- B. Discuss Blain Road and Reardon Road and Possible Action
 - 1. S. Smith explained that a company has contacted Leo Adams to discuss using a special piece of equipment to use on the roads.
 - 2. P. Lenky explained that the process involves one tractor heating up the material on the road, another grinding the material, another tractor mixes the material with oil, then the mixture is laid back down. He further explained that it would only be a temporary fix because the equipment only grinds about four inches worth of material. He explained that the best thing to do with the road is to get rid of the valleys so that the road has a smooth slope. He stated that it costs about \$90,000 for a mile of road, and the road would still need a finished coat over it.
 - 3. S. Smith stated that she can figure out the cost to add a finished coat. She stated that she has to side with knowing that the Public Works Director wouldn't ask the Town to spend money if it wasn't best. She asked how long it would take before water starts to go underneath the road again if the slope of the road isn't corrected. P. Lenky answered that it will be a problem as soon as the road freezes.

4. S. Smith asked if test bores are kept on record. P. Lenky answered that Leo Adams has them, and that it would probably cost about \$1,000 to have test bores done again.
5. The Board agreed to look into the project, with S. Smith stating she wants to make sure it doesn't go another season.

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

- A. Don Pimental, 40 Starr Rd., thanked the Board for tabling the discussion regarding the letter from River Junction Estates, LLC. He explained that New Road is .89 of a mile long, and Rawson had to deed that over to the Town of Thompson. He stated that Rawson owned a section of the road, and there's no difference at Starr Road. He added that it could be that Starr Road ends at .15 of a mile and the rest is just a path way, but no one knew until a few years ago that the Town did not own a portion of Starr Road.
- B. Kevin Walsh, Blain Rd., thanked the Board for not taking action in regards to the letter from River Junction Estates, LLC. He stated that it does not mean that in the future there won't be an action taken. He explained that he remembers a member of the Board saying that they would consider accepting the donation, but the member made clear that there would be no future consideration made by accepting the land. He stated that the Board demonstrated a firm position of fairness and that if the approach that was expressed tonight had been used this whole time, we wouldn't be in this position tonight. He stated that the potential forged documents still have to be addressed, and that citizens were not being communicated to in a forthright and truthful way. He added that the Board knows what it needs to do to see the Board go out on an up beat.
- C. Ken Beausoleil, Walker Dr., suggested holding a special BOS meeting with Leo Adams.
- D. Jodi Houghton stated that it sounds like K. Forrester did a lot of work with the sexual harassment policy, but added that it seems like the process is for employees to read and understand the policy, which research has shown is not effective. She stated that there could be legal issues if employees don't understand what sexual harassment is. K. Forrester explained that she did go through the policy and what defines sexual harassment.

XV. Tax Refunds

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

1. Susan M. Bartlett- \$24.80
2. Rebecca E. Fasshauer- \$44.22
3. Honda Lease Trust- \$163.43, \$96.35, and \$48.91
4. Melissa B. Kennedy- \$115.60
5. David B. Muler- \$336.54
6. Jacqueline A. Miller- \$89.53
7. Robert J. and Constance M. Thomas- \$8.19
8. Stephanie Ventura- \$32.04
9. Lisa J. and William A. Barrette- \$47.62
10. William A. or Lisa J. Barrette- \$9.67
11. Richard F. Belinski- \$91.76
12. Darlene A. Danielson- \$43.65 and \$20.09
13. Edward A. Danielson- \$67.71
14. Alan J. Rivers- \$32.24

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

The motion carried unanimously.

XVI. 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. First Selectman Paul Lenky adjourned the meeting at 9:20 PM.

Tina Fox
Recording Secretary