



TOWN of
THOMPSON

Board of Selectmen

Minutes: Regular Meeting
Tuesday, November 17, 2015
Merrill Seney Room, Town Hall

p. 1 of 7

The Pledge of Allegiance was recited.

First Selectman Ken Beausoleil called the meeting to order at 7:00 PM.

Present: Ken Beausoleil
Steve Herbert
Shaina Smith

Staff Present: Tina Fox, Recording Secretary

Also Present: Members of the Public

I. Approval of Minutes

- A. **Shaina Smith moved and Steve Herbert seconded the motion to accept the minutes of the November 4, 2015 regular meeting with the following stipulation:**
1. Page 4, Section IV(D): Replace the entire section with the actual wording of the comments, written by Mr. Dewey. The wording will be attached to the November 17, 2015 minutes.
- Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes
- The motion carried unanimously.**

II. Correspondence

- A. K. Beausoleil presented the following correspondence:
1. Tax Collector's Report.
 2. Chamber of Commerce seeking nominations for an individual deserving of various awards.
 3. Jewett City Bank Brochure.
 4. NECCOG previous award recipients list.
 5. NECCOG Holiday Business After Hours.
 6. Through TEEG and Brooklyn Cares, Children's Holiday Journey.
- B. S. Smith had no correspondence to present.
- C. S. Herbert had no correspondence to present.

III. Selectmen's Comments

- A. S. Herbert presented the following Selectman's Comments:
1. S. Herbert mentioned a potential firm that might be able to do the survey regarding the HVAC at the library for free, which requires additional follow-up. S. Smith stated that since the project went out to bid, she doesn't know if the Board can go out to find other people/companies.
- B. S. Smith presented the following Selectman's Comments:
1. Recommended having the Library HVAC on the next agenda to discuss.

2. Recommended developing a circulation to communicate better with residents. Suggestions mentioned included a section in the Villager like the Superintendent has; creating a newsletter to upload to the website; paper mailing in the Shopper's Guide, as a stand alone publication, or added to tax bills.
 3. Recommended looking into having meetings video recorded. S. Smith stated she has a message into Charter about getting equipment, or alternatively purchasing an inexpensive camcorder and uploading videos to YouTube.com.
 4. Recommended having an FOIA pledge on the next agenda for the BOS to sign.
 5. Recommended having a FOIA workshop.
 6. Asked if the letter referred to at the last BOS meeting was from the Dudley Police Chief, to which Paul Lenky answered affirmatively. S. Smith asked if the letter needed to be forwarded to someone else.
 7. Stated that she was unable to forward the Tax Abatement ordinance to the individual referred to in the previous minutes. S. Smith stated that she will be responding and including the previous Selectmen in her response, as requested.
 8. Recommended having discussion regarding the Transfer Station Permits on the next agenda. S. Smith suggested a joint meeting between the BOS and the Transfer Station Advisory Committee. Lynn Landry stated that the next TSAC meeting is December 3, 2015. S. Herbert stated that the TSAC should have guidance from the BOS.
- C. K. Beausoleil presented the following Selectman's Comments:
1. Thanked everyone for coming to the first meeting with the new Board. He stated that his door will always be open, and asked that residents be patient while the Board will "get our legs under us and get going." He stated that resident's input is very important and as long as the Board can get business done, it will be a good working relationship. He thanked Paul Lenky and Kerstin Forrester for the transition, and stated that they were very helpful in getting him up-to-date.

IV. Citizens' Comments (Limit 3 Minutes)

- A. Larry Groh, 183 Wagher Rd., congratulated the new Board on getting elected. He stated that at the last BOS meeting, he was singled out as an individual who spoke during the Town Meeting about the Ethics Ordinance. He stated that anybody who wants to make a comment and debate during a Town Meeting should. He mentioned hearing on WINY radio someone pointing out comments that he made about the Ethics Ordinance, saying that he misspoke. He added that he read the Ordinance and is still coming up with the same problems. He stated that he has no problem with someone disputing what he says but that he encourages them to come up to him and debate him. He stated that only one person voted for that Ordinance, the whole current Board did not vote for it nor did the Ethics Committee. He stated that if someone wanted to bring up anything to encourage people to vote for it, it should have been at the Town Meeting and not during a Selectmen's meeting. He also stated that he would like the BOS to think about the price of the disabled Transfer Station Permits because if you give certain groups discounts, he asked, "where does it stop?" He suggested making them permits one price for everyone.

- B. Kathleen Herbert, Chairman of the Ethics Committee, asked the Board to resurrect the Ethics Policy so that it can be "massaged" and brought back to the Ordinance Committee. She stated that Mr. Groh did misread the policy, that gifts to immediate family members are excluded. She stated the Ordinance should have gone to the Ordinance Committee, then to Town Meeting.
- C. Al Landry, 33 Randall Rd., stated that this Board has the potential to be very good. He then stated the following: "I'd like to talk about abuse of power. At the last Selectmen's Meeting, it was stated in Citizens' Comments by Kerstin Forrester that one person was on the Ethics Committee and on the Ordinance Committee and that this created a conflict of interest. I was recognized to speak and explained that I was the person being referred to. I asked if this was a conflict, why was I appointed to the Ethics Committee. Kerstin responded that I volunteered and did not answer my question. While it is true that you must volunteer for a position such as this, you still must be appointed. I was appointed by Paul Lenky, Kerstin Forrester, and Shaina Smith on August 19, 2014 along with six other people. At the Ethics Committee meeting of December 10, 2014, there was a report on Kathleen Herbert's attending at CCM Ethics Workshop. She reported that 'Kathleen discussed with the instructor Al's concerns about sitting on more than one committee and voting on the same items, specifically how it relates to him. For EAC's purposes, there is no conflict even if Al were to vote in both committees.' After the Selectmen's meeting of November 4, 2015, I was talking with Kathleen and Steven Herbert when Kathleen told me she was surprised by Kerstin's statement about me as Kerstin had been at this Ethics Workshop with her. Sunday I was reading what was posed on social media from a WINY radio report about Kerstin's statement on this issue. I searched the Selectmen's minutes for all of 2014 and much of 2015 twice. I could not find any reference to the document she'd written about. I'm not saying it doesn't exist but that I could not locate it. Why wasn't it sent to me or the Ethics Committee, as another member was also on another Board. After John Lenky was asked not to serve on the Ethics Committee, I talked with John and Paul Lenky about this. I expressed my opinion that it was a loss for the Town for John to have to resign. I then asked Paul if he felt that I should resign. Paul said there was no need to. John said that I needed to stay on. Yesterday I asked Paul Lenky if he remembered this conversation and he said that he did. He then stated that he has no problem with who is on the Board as he feels it makes for a stronger Ethics Code. I agree with him. I'd like to thank the Ethics Committee and especially Kathleen, Ray, and Jimmy for going above and beyond what was asked for. We need to get an Ethics Policy in place or the State will force one on us and it will be aimed more at cities than small towns like ours. Growing up, I was taught that when good leaders made a mistake, they would own up to it. The Buck Stops Here. They shouldn't cast their eyes about to see who they can blame for their own shortcomings, and they shouldn't give out misinformation. Maybe this is why our Board cannot get volunteers. Finally, I would like to offer a piece of advice. Folks, when someone is bullying you, stand up for yourself. Thank you."

- D. Kevin Walsh, Blain Rd., congratulated the new Board. He stated that residents want transparency. He stated that being honest with the public speaks to character, integrity, and trust. He stated that residents should be able to express concerns and everyone should at least show a common decency that people are entitled to an opinion. He suggested that the Board think about the Ethics Committee and designate them as an inactive committee. He stated that the reason the Ordinance failed is because it immediately made exceptions and exclusions as to who the Ordinance applied to. He also added that he is looking for clarification that specifically states whether or not the Board of Education, among others, would be declared exempt, and that no one has provided that information thus far.
- E. Don Pimental, 40 Starr Rd., congratulated the new Board, and stated that he hopes Mr. Herbert gets all of the information that he deserves, not like Shaina. He stated that he submitted an FOIA request to Marla Butts, who responded with a letter that says he won't get it within a week. He stated that he went to "her meeting" and was going to bring up "the Starr Rd. thing" and she told her Board that "it's a road." He stated that Marla Butts needs to stay within her realm of work. He stated that he thinks it is wrong and an abuse of power. He stated that he hired his own Wetlands Agent to review the documents he requested, and if it waits until next week, it will be too late. He concluded by stating that he is not happy with that stall tactic.
- F. Paul Lenky, 50 Watson Rd., stated that he has something he would like the First Selectman to look into. He stated that at the November 4, 2015 meeting, Don Pimental read a letter that was given to the Building Inspector, and Don Pimental stated that the letter was given to him by Lee Post. Paul Lenky stated that he spoke to Mr. Post, who told him that Don Pimental asked for the letter specifically. He stated that at the time, the only people who knew about the letter were the engineer, Selectmen's Office Secretary, John Rice, Building Office Secretary, and Paul Lenky himself. He stated that when he talked to Mr. Post, he stated that he did not know who Don Pimental was. He stated that there are two conflicting stories and somebody is not telling the truth. He requested that the First Selectman speak to Mr. Post and ask him for the story.
- V. Easement Request- Dennis & Debra Lamarche, 25 Becola Rd., Thompson, CT
- A. Debra Lamarche stated that the NDDH is asking her to have a design in place for a new septic system should her existing, working septic system fail. She explained that she does not need work done yet, but needs written permission to do it.
- B. S. Smith asked if this went to any other Commissions, to which Debra Lamarche responded that it does not have to.
- C. K. Beausoleil explained that usually a bond has to go in place, and the Highway Department Foreman assesses what he feels is appropriate for the bond, but the vote usually occurs with that caveat, and the bond isn't usually issued until it is time to do the digging. He stated that the Town Attorney will have to draft this.
- D. S. Herbert stated that to protect the Town, it must be subject to an appropriate bond.
- E. **Shaina Smith moved and Steve Herbert seconded the motion to approve the easement request for Dennis and Debra Lamarche, 25 Becola Rd., pending we send it to the Town Attorney for appropriate wording, which would include the bond stipulation for the amount that is appropriate at the time of the installation.**
 Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes
The motion carried unanimously.

- VI. Open Bids for WPCF Phosphorus Removal System Upgrade
- A. The following bid was opened and received: Delray Contracting, Inc., Ellington, CT: \$553,666.
- B. **Steve Herbert moved and Shaina Smith seconded the motion to send the Library HVAC bids to the TWPCA for review and recommendation.**
Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes
The motion carried unanimously.
- VII. Emergency Management Resolution
- A. K. Beausoleil read the resolution aloud.
- B. **Steve Herbert moved and Shaina Smith seconded the motion to approve the Emergency Management Resolution.**
1. S. Smith noted that her name needs to be spelled correctly.
Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes
The motion carried unanimously.
- C. Steve Benoit stated that they need the resolution by November 30, 2015.
- VIII. Town Treasurer Appointment- Orla McKiernan-Rafferty
- A. K. Beausoleil read the appointment letter aloud.
- B. **Shaina Smith moved and Steve Herbert seconded the motion to appoint Orla McKiernan-Rafferty as Town Treasurer for the Town of Thompson.**
Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes
The motion carried unanimously.
- IX. Board of Selectmen Calendar 2016
- A. S. Herbert noted that November 1, 2016 is a Tuesday rather than a Wednesday, and suggested that the October 18, 2016 meeting should be at the Thompson Fire Engine Company.
- B. K. Beausoleil explained that his recommendation was to eliminate the Thompson Fire Company location, because the four different districts will still be represented.
- C. There was a consensus to have the October 18, 2016 meeting at the Thompson Fire Engine Company.
- D. S. Smith noted that the calendar doesn't indicate that meetings are usually held at 7:00 PM in the Merrill Seney Room, Town Hall.
- E. **Steve Herbert moved and Shaina Smith seconded the motion to approve the 2016 meeting calendar as modified.**
Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes
The motion carried unanimously.
- X. Recreation Commission Discussion about Recreation Director Position
- A. K. Beausoleil explained that the current Recreation Director has been elected to the Town Clerk's office, so the Director position will be vacant in early January. He explained that the Rec. Commission provided a job description that they approved, as well as an advertising/hiring plan.
- B. S. Herbert suggested utilizing the employment opportunities section of the website to post this position.
- C. The Board discussed where the funding for advertising the position comes from. A representative of the Rec. Commission stated that there is nothing in the Rec. budget available.

- XI. Executive Assistant to the First Selectman Position Discussion
- A. K. Beausoleil read a letter of resignation for the Executive Assistant, effective December 4, 2015 as a last day of employment.
 - B. **Shaina Smith moved and Steve Herbert seconded the motion to accept the resignation with regret.**
Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes
The motion carried unanimously.
 - C. K. Beausoleil explained that he provided the other Selectmen with job descriptions that he would like them to review and provide recommendations for.
 - D. The Board discussed a time frame for the hiring process. K. Beausoleil stated that the Board can set up an interview committee during the December 1, 2015 meeting.
- XII. Road Updates
- A. There were no road updates.
- XIII. Other Business
- A. K. Beausoleil stated that, regarding the Library HVAC bids, the four bidders would be notified that the Board would be acting on that for the second December meeting.
 - B. S. Herbert stated that there seemed to be a clear winner.
 - C. K. Beausoleil stated that he did not have a chance to review the information.
 - D. S. Smith suggested inviting Alison Boutaugh to the meeting when the subject is placed on the BOS agenda.
- XIV. Citizens' Comments on Agenda (Limit 3 Minutes)
- A. Don Pimental, 40 Starr Rd., stated that Lee Post wrote a letter and sent it to the Chief State's Attorney Office, which stated that he (Lee Post) was not the author of "the letter," and that it came from the First Selectman's Office.
 - B. Kevin Walsh, Blain Rd., asked for clarification about the ordinance process. He stated that a written policy was enacted two administrations ago and had the following steps: 1) A proposed ordinance would come before the Board and, at their discretion, the BOS sends it to the Ordinance Review Committee (ORC); 2) ORC makes recommendations and sends it back to BOS; 3) BOS reviews the changes and has the option to send it to Town Meeting, to make more changes, or to not send to Town Meeting; 4) whoever originally brought the ordinance to the BOS could petition the Board for a Town Meeting. K. Walsh asked that the Board take a look at the process and "brush up on it a little." He stated that "we" have to be careful of something going to a particular committee and then automatically assuming it has to go to the public. S. Herbert reminded the First Selectman that citizens' comments at this point are limited to agenda items. K. Beausoleil answered that he can deter from that, and that he will be reworking the citizens' comments to make it more appropriate. To K. Walsh, K. Beausoleil stated that he will ask for clarification regarding the ordinance process.
 - C. Shawn Brissette, Fairway Drive, stated that he thinks it would be a good idea to remove the 'only on agenda items' from citizens' comments. He added that "I would love the \$50 limit on spousal gifts; that would get me off the hook."

D. Christine Campbell, 861 Thompson Rd., stated that there is an Inland/Wetlands Commission meeting on December 2, 2015, and she has been reading "a lot about this property." She stated that "the Town of Thompson said in a letter that it was an unbuildable lot." She asked if the BOS oversees the Inland/Wetlands Commission. She stated that if it is an unbuildable lot, she does not understand how they can build a bridge or divert wetlands. She stated that she would like clarification, and she wants to know if the BOS can come to the meeting, and that she thinks it is wrong what is being done. K. Beausoleil stated that he will get that answer to her in a day or so.

XV. Tax Refunds

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

- | | | | |
|----------------------|--------------------|--|-------------------|
| 1. Honda Lease Trust | \$74.94 | | |
| 2. Debbie A. Krohn | \$26.41 | | |
| Ken Beausoleil- Yes | Steve Herbert- Yes | | Shaina Smith- Yes |

The motion carried unanimously.

XVI. Adjourn

A. **Steve Herbert moved and Shaina Smith seconded the motion to adjourn.**

Ken Beausoleil- Yes Steve Herbert- Yes Shaina Smith- Yes

The motion carried unanimously.

B. First Selectman Ken Beausoleil adjourned the meeting at 8:25 PM.

Tina Fox
Recording Secretary

I'm Ray Dewey, 168 Quinebaug Road.

I'm mad. Not because the proposed Ethics Code was defeated last week, but because of some things that were said about it.

An individual opened with "crazy, ludicrous, insane." That reflects poorly on me and the other members of the Ethics Advisory Committee. He was trying to inflame those present, not to discuss any objections intelligently.

To say that the Code prevented him from receiving flowers from his wife certainly SOUNDS crazy, ludicrous, or insane and SOUNDS good but that was COMPLETELY wrong, or a fabrication. In fact, if he had really read the proposed Ethics Code, he would have seen that immediate family (and that includes wives) are exempted from ALL limits on ALL gift giving. Anyone who believed him obviously hasn't read the Code either.

Then he said that there was a provision that would not allow him to talk to his wife. WOW. That's really stretching it, but there is a provision about public officials and a prohibition of "undue influence" between them. It would really be a misinterpretation or twisted logic if we used that provision regarding married politicians. First, someone would have to file a formal complaint about a husband talking to his wife; then the Ethics Commission would have to find the influencing communications between them unreasonable and unnecessary, and then the Board of Selectmen would have to agree with their finding. I don't think that any of that would ever happen. If he doesn't want to talk with his wife though, we can't make him.

Anyway, ordinances usually tell citizens or land owners what they can't do or how they must do things. Ethics Codes are intended to apply to government officials and requires honesty, fairness, integrity, and transparency in their actions.

There was calm, intelligent discussion about this proposal for 12 months. The committee tried to address concerns particular to a small town. Only seven citizens bothered to attend any meetings. Did the people who voted against the proposal actually read it or did they just hear this one person's inflammatory words, twisted logic, or fabrications? Nothing was hidden. Thank you.

Voluntary Sign-In

BOS

November 17, 2015

- 1) Joseph H. Baucher
 - 2) Albert Laffeur
 - 3) PAUL HORANZY
 - 4) Jim Pimentel
- Kathleen Hubert
Linda Jarmolowicz
Steve Bodur
Shawn Brissette
KEVIN WALSH
Paul A. Lash
Justin Bruester
Larry Swoliga

