



# TOWN OF ELLINGTON

JAMES M. PRICHARD  
Deputy First Selectman

SARAH D. COOK  
MELINDA M. FERRY  
DAVID E. STAVENS  
RONALD F. STOMBERG  
JOHN W. TURNER

LORI L. SPIELMAN  
First Selectman

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BOARD OF SELECTMEN  
REGULAR MEETING  
Monday, March 12, 2018  
Town Hall Meeting Hall

## MINUTES

**SELECTMEN PRESENT:** Lori Spielman, James Prichard, David Stavens, Ronald Stomberg, John Turner, Melinda Ferry, Sarah Cook

**OTHERS PRESENT:** Joy Hollister, Director of Human Services; Marie Sauve, Human Resources Coordinator/Executive Assistant; Allan Lawrence, Fire Marshal; James York, Supervisory Deputy Fire Marshal; Timothy Webb, Director of Public Works; Peter Hany, EVAC Chief of Services; Peg Busse, Board of Finance Member; Betsy Feldman, Tom Palshaw

**I. CALL TO ORDER:** The Board of Selectman (BOS) meeting was called to order by First Selectman Spielman at 7:03 P.M.

### **II. PLEDGE OF ALLEGIANCE**

**III. CITIZENS' FORUM (Non agenda items):** Peg Busse (37 Abbott Road) spoke in regards to her concerns for current issues with Hall Memorial Library. She read the following statement:

"I'm speaking from the perspective of a concerned citizen, a library patron, a member of the Board of Finance, and President of the Friends of Hall Memorial Library. There have been many conversations regarding the current operation of the library, especially the physical plant. I have participated in some of these, and I think there is much that needs to be determined as to the best structure to utilize to ensure the best possible functioning library for this town. There has been some speculation as to why the library is a separate entity in town, and what rules they need to follow, and what they can do under the operation of the Library Board of Trustees. Some of this is related to State statute, some from the Town Charter, and some from simple past actions. The point is, this is speculation. I believe the time has come to do the research, and determine the current legal standing of the governance of our library, and then determine what, if any changes should be made to ensure the best quality governance going forward. The point of my statement here tonight is to encourage that a committee of appropriate individuals be named to do this research. The end product should be historical documentation and data comparing our situation with surrounding towns. This committee would make recommendations with the understanding that the enacting of all or any may take a significant amount of time and legal changes in the library operating structure. The ultimate end result is ending the speculation and bring the current operation model into

the light so that we can all enjoy a library that best suits the needs of the citizens of this town, and there is no question as to who is responsible for what relative to library operations. When I moved to town, one of the places I first sought was a library. Libraries had been a passion my entire life, and I was so impressed with the physical building, the services offered, and the support of the Town. I would personally hate to see current issues damage any of this, and I believe now is the time for action. Thank you."

Ms. Busse said that she will be making the same statement at the Library Board of Trustees meeting on March 13, 2018. Ms. Spielman responded that she would like to put this topic on the agenda to be discussed at the April Board of Selectmen meeting.

Betsy Feldman (108 Ellington Avenue) stated that she was surprised that next year's budget included a significant amount of money for a Public Safety Administrator. She feels as if this was not transparent, not a collaborative effort, and she does not believe that the Ellington Volunteer Fire Department (EVFD) needs this assistance. This was not asked for by the EVFD. She believes that it would be better to complete the emergency services survey that is being planned before making any decisions on this position. Ms. Spielman said that she wants it to be clear that nothing will be done until the three emergency services organizations are included in the discussion. The amount of money set aside in the budget for the position was not just for salary. Ms. Spielman wants to work together with the emergency services departments.

#### **IV. APPROVAL OF MINUTES**

- A. February 8, 2018 Board of Selectmen/Hall Memorial Library Board of Trustees Joint Special Meeting

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO APPROVE THE BOARD OF SELECTMEN/HALL MEMORIAL LIBRARY BOARD OF TRUSTEES JOINT SPECIAL MEETING MINUTES OF FEBRUARY 8, 2018.

- B. February 12, 2018 Board of Selectmen Regular Meeting

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPROVE THE BOARD OF SELECTMEN REGULAR MEETING MINUTES OF FEBRUARY 12, 2018.

**V. UNFINISHED BUSINESS:** There was none.

#### **VI. NEW BUSINESS**

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA ITEM VI.I RE-ESTABLISH THE AD HOC ELLINGTON TRAILS COMMITTEE AND AGENDA ITEM VI.J RE-ESTABLISH THE AD HOC ELLINGTON BEAUTIFICATION COMMITTEE.

- A. Tax Refunds/Abatements

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$2,353.13 AS RECOMMENDED BY THE TAX & REVENUE COLLECTOR AND AS SPECIFIED IN THE REFUNDS/ABATEMENT STATEMENT FOR THE MONTH OF MARCH, 2018. **[ATTACHED]**

B. Recreation/Human Services Shared Administrative Secretary I Position

MOVED (TURNER), SECONDED (FERRY) AND PASSED (AYE: TURNER, PRICHARD, STAVENS, FERRY, COOK; NAY: STOMBERG) TO CHANGE THE STATUS OF THE RECREATION AND HUMAN SERVICES SHARED PART-TIME ADMINISTRATIVE SECRETARY I POSITION TO A FULL-TIME SHARED ADMINISTRATIVE SECRETARY I POSITION, EFFECTIVE MARCH 12, 2018. FURTHER TO AUTHORIZE THE FIRST SELECTMAN TO FILL THE FULL-TIME ADMINISTRATIVE SECRETARY I POSITION FOR THE RECREATION AND HUMAN SERVICES DEPARTMENTS.

Mr. Stomberg expressed concern about adding another full-time employee where they can find someone part-time. Ms. Spielman stated that the Recreation Department has grown and right now the two departments are sharing someone. Joy Hollister, Director of Human Services, stated that this is the third time in a year that this position has been open. The most recent employee lasted only six months. Most people want full-time positions, or the part-time hours don't work for them. There was a lot of thought put into this, options were discussed and this is the best option for the department and the Town. Marie Sauve, Human Resources Coordinator, noted that the part-time employees were receiving fringe benefits as this a union position.

C. Computer Service & Maintenance Contract

MOVED (TURNER), SECONDED (COOK) AND PASSED UNANIMOUSLY TO RENEW THE CONTRACT FOR THE SERVICE AND MAINTENANCE OF THE TOWN'S COMPUTER SYSTEM FOR AN ADDITIONAL YEAR TO APRIL 30, 2019, AS OUTLINED IN ARTICLE 3: TERM OF CONTRACT OF THE CURRENT CONTRACT WITH THE COMPUTER COMPANY OF CROMWELL, CONNECTICUT, AS RECOMMENDED BY THE FINANCE OFFICER.

D. Charter Revision Commission/Town Attorney Re: Ordinance Concerning Competitive Bidding [Ellington Code: 28-1 through 28-3]

MOVED (TURNER), SECONDED (FERRY) AND PASSED (AYE: TURNER, PRICHARD, STAVENS, FERRY, STOMBERG; NAY: COOK) TO REFER TO THE BOS ORDINANCE COMMITTEE THE CHARTER REVISION COMMISSION'S REQUEST TO STUDY THE ORDINANCE CONCERNING COMPETITIVE BIDDING [ELLINGTON CODE: 28.1 THROUGH 28.3] INCLUDING A REVIEW OF THE INFORMATION PROVIDED BY THE TOWN ATTORNEY FOR THE BOS ORDINANCE COMMITTEE TO MAKE A RECOMMENDATION TO THE BOARD OF SELECTMEN.

Ms. Cook clarified that the citizens already voted to not change the minimum bidding number. Tom Palshaw (120 Pinney Street) responded that the Charter Revision Commission reviewed this issue and found legal questions. Before they can proceed in amending the Town Charter, they needed legal opinion on some wording in the ordinance. They would like to send the ordinance back to the Ordinance Committee to reword it. Ms. Cook asked if the Ordinance Committee will be looking at changing the dollar amount value. Mr. Palshaw responded that would be up to the Committee. Ms. Cook is concerned that the legal opinion looks to change the dollar amount to the \$25,000 since the voters already turned that higher amount down. Mr. Palshaw said that the Town is allowed to control the number by ordinance up to \$25,000. The Charter cannot be amended by ordinance, which is the flaw in the language. Mr. Palshaw said that there is a lot to discuss in regards to this. Mr. Turner said that being a public agency, they have the obligation to be very open in projects. That openness comes at a cost of preparing,

reviewing legally, posting, reviewing results, and making a recommendation. For some projects you end up where you would be in the beginning after paying more money to get there. Ms. Cook stated that she is concerned with the attorney's suggested language, given it went out to public vote and the \$25,000 was not agreed upon.

E. Set Public Hearing – Crystal Lake Boat Club Regatta

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO SCHEDULE A PUBLIC HEARING ON MONDAY, APRIL 16, 2018, 7:00 P.M. AT THE ELLINGTON TOWN HALL, FOR THE PURPOSE OF ALLOWING CITIZENS TO COMMENT UPON THE CRYSTAL LAKE SAILING CLUB APPLICATION FOR A REGATTA PERMIT.

F. Fire Marshal's Office Staff

MOVED (TURNER), SECONDED (COOK) AND PASSED UNANIMOUSLY TO ACCEPT, WITH REGRET, THE RESIGNATION OF ALLAN LAWRENCE, FIRE MARSHAL, EFFECTIVE SEPTEMBER 30, 2018.

Ms. Spielman stated that Allan Lawrence has done an excellent job and will be missed.

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF PERSONNEL APPOINTMENT AT 7:29 PM.

PRESENT: Board of Selectmen members; Marie Sauve, Human Resources Coordinator; Allan Lawrence, Fire Marshal

James York entered Executive Session at 7:57 P.M. and left at 8:03 P.M.

The BOS came out of Executive Session at 8:05 p.m.

MOVED (TURNER), SECONDED (COOK) AND PASSED UNANIMOUSLY TO APPROVE THE REVISIONS TO THE JOB DESCRIPTION FOR THE FIRE MARSHAL AND TO ADJUST THE SALARY RANGE FROM E-3 TO E-5.

MOVED (TURNER), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO APPROVE THE JOB DESCRIPTION FOR THE FULL-TIME FIRE INSPECTOR II POSITION.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO CHANGE THE STATUS OF SYDNEY KERN FROM PART-TIME FIRE INSPECTOR II TO FULL-TIME FIRE INSPECTOR II AT AN HOURLY WAGE OF \$28.00 FOR A 35-HOUR WORK WEEK, EFFECTIVE MARCH 13, 2018.

MOVED (TURNER), SECONDED (COOK) AND PASSED UNANIMOUSLY TO APPOINT JAMES S. YORK, II TO THE POSITION OF FIRE MARSHAL AT AN ANNUAL SALARY OF \$57,643 FOR A 28-HOUR WORK WEEK, EFFECTIVE SEPTEMBER 30, 2018.

G. Ordinance: Fire Safety Permits

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO REFER TO THE BOS ORDINANCE COMMITTEE THE FIRE MARSHAL'S PROPOSAL FOR AN ORDINANCE REQUIRING PERMIT AND PERMIT FEES FOR SPECIFIC OCCUPANCIES

INCLUDING A REVIEW OF THE INFORMATION PROVIDED BY THE FIRE MARSHAL AND FOR THE BOS ORDINANCE COMMITTEE TO STUDY THIS REQUEST AND MAKE A RECOMMENDATION TO THE BOARD OF SELECTMEN.

Allan Lawrence, Fire Marshal, stated that this ordinance is authorized by the State, and most communities around Ellington have adopted this language. Mr. Lawrence modified much of the language and removed many of the occupancies that they are authorized to charge permits for. He left in the occupancies that the Town would benefit from having a permit for. Inspection is mandatory yearly and occupies a large amount of time. The fee schedules reflect the degree in difficulty in performing those inspections. It takes a lot of time to schedule the appointments, do the inspection, and then complete the paperwork. The Town can create \$50,000 in new revenue per year with the ordinance program.

Mr. Prichard expressed his concern that this program would be a double tax because people and businesses are already paying taxes for the service of having a Fire Marshal. Mr. Lawrence stated that he can review the issues.

Multiple members of the Board of Selectmen (BOS) expressed concern in regards to the impact of this ordinance on businesses in Ellington. Mr. Stomberg stated that there has to be a safety benefit to this program. Mr. Stavens stated that inspections are occurring yearly anyways, this includes extra fees.

Mr. Lawrence stated that the intent is not to cause trouble to small businesses. The intent is to address bulk storage. He stated that he did not want to leave this job without presenting the idea and have them wonder down the road why other towns were doing this and Ellington was not. It would be good to know where the flammable and combustible liquids are. This will not impact most businesses in Town unless they are involved in the retail of flammable and combustible gases and liquids.

Ms. Sauve explained the process to adopt an ordinance: The Ordinance Committee will bring a recommendation back to the full BOS. The BOS can schedule a Public Hearing to allow residents to comment on the proposed Ordinance. After the Public Hearing, if the BOS is in favor of going forward, they will then schedule a Town Meeting. The Town Attorney usually reviews the proposed ordinance prior to the Public Hearing. Mr. Lawrence stated that he will work with the Ordinance Committee to make recommendations.

Mr. Stavens stated that he would like to get more information from other Towns.

#### H. Hall Memorial Library Roof Project

MOVED (TURNER), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO POSTPONE THE CAPITAL IMPROVEMENT REQUEST FOR PROPOSED PROJECT - HALL MEMORIAL LIBRARY ROOF REPAIR (\$300,589) FROM THE 2018-2019 CAPITAL IMPROVEMENT BUDGET TO THE 2019-2020 CAPITAL IMPROVEMENT BUDGET REQUEST, TO ALLOW THE TOWN TO PREPARE A FORMAL REQUEST FOR PROPOSAL, AS RECOMMENDED BY THE DIRECTOR OF PUBLIC WORKS. **[ATTACHED]**

Mr. Turner stated that it is clear by the information provided that they need a formal bid process so everyone is bidding on the same things.

I. Re-establish the Ellington Ad Hoc Trails Committee

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO RE-ESTABLISH THE ELLINGTON AD HOC TRAILS COMMITTEE FOR ONE YEAR TO MARCH 2019.

J. Re-establish the Ellington Ad Hoc Beautification Committee

MOVED (TURNER), SECONDED (COOK) AND PASSED UNANIMOUSLY TO RE-ESTABLISH THE ELLINGTON AD HOC BEAUTIFICATION COMMITTEE FOR ONE YEAR TO MARCH 2019.

## VII. ADMINISTRATIVE REPORTS

- A. Building Department
- B. Emergency Services
  - 1. Resident State Troopers' Office
  - 2. Ellington Volunteer Ambulance Corps: Mr. Stavens noted that the membership is growing. Mr. Hany stated that they have been trying to boost the numbers.
  - 3. Ellington Volunteer Fire Department
  - 4. Crystal Lake Fire Department
  - 5. Emergency Management Director: Mr. Stavens asked where the cots are being stored. Ms. Spielman stated that they are stored at the high school, and that the Emergency Management Director has done a great job of making sure there are enough cots, pillows, blankets, and pet cages.
- C. Fire Marshal: Mr. Turner noted that most of the work is being done at multi-family residences.
- D. Hall Memorial Library
- E. Tax & Revenue Collector
- F. Town Planner
- G. Finance Department
  - 2017 Grand List
  - Financial Statements

## VIII. SELECTMEN COMMITTEE REPORTS

- A. Personnel Committee:
  - 1. Resignations

MOVED (PRICHARD), SECONDED (COOK) AND PASSED UNANIMOUSLY TO ACCEPT THE RESIGNATION OF JEFFERY MILLER FROM THE AD HOC ELLINGTON TRAILS COMMITTEE.

MOVED (PRICHARD), SECONDED (COOK) AND PASSED UNANIMOUSLY TO ACCEPT THE RESIGNATION OF GEORGE VARTANIAN FROM THE AD HOC ELLINGTON TRAILS COMMITTEE.

2. Appointments

MOVED (PRICHARD), SECONDED (COOK) AND PASSED UNANIMOUSLY TO REAPPOINT SEAN DWYER AND ROBERT ZEILFELDER, JR. TO THE CONSERVATION COMMISSION TO SERVE FOUR-YEAR TERMS ENDING MARCH 31, 2022.

MOVED (PRICHARD), SECONDED (COOK) AND PASSED UNANIMOUSLY TO APPOINT JULIA MARQUIS TO THE ETHICS COMMISSION TO COMPLETE AN UNEXPIRED TERM ENDING JANUARY 31, 2020.

B. Other: There was no other business.

#### IX. SELECTMEN LIAISON REPORTS

Ad Hoc Emergency Services Committee: Mr. Turner stated that the Ad Hoc Emergency Services Committee set to meet on March 13 will most likely be cancelled due to snow.

#### X. FIRST SELECTMAN'S REPORT

A. New Hire:

- Alisha Goss, Senior Center Administrative Secretary I

B. Resignations:

- Brittany Lemire, Recreation/Human Services Administrative Secretary I
- Mary DiBenedetto, Food Bank Aide
- Ben Barry, Emergency Medical Technician/Ambulance Driver

C. Other

Ms. Spielman said she interviewed the owner of Trattoria de Lepri on her Community Voice Channel show in regards to the fine dining the restaurant provides the Town.

#### XI. CORRESPONDENCE

A. Letter to Hall Memorial Library Board of Trustees: This item was tabled.

Lori reported that she has been invited to attend the next Library Board of Trustees meeting scheduled for March 13, 2018, weather permitting.

#### XII. EXECUTIVE SESSION

A. For the purpose of discussing personnel appointment

This item was discussed under NEW BUSINESS, Item. F.

#### XIII. ADJOURNMENT

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 8:45 P.M.

Submitted by Meaghan Maguire Approved by \_\_\_\_\_  
Meaghan Maguire

Lori L. Spielman  
Lori L. Spielman

