

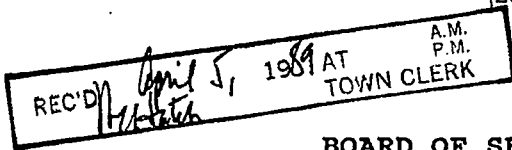
TOWN OF DURHAM

Office of the First Selectman

P. O. Box 428

Durham, Connecticut 06422

(203) 349-3625



Maryann P. Boord
First Selectman

BOARD OF SELECTMEN'S MEETING

March 16, 1989

The meeting was called to order at 7:09 p.m. in the Durham Town Hall by First Selectman Maryann P. Boord; Board members present: Francis E. Korn, Hugh A. Curley. Others present: Anton Zimmer, Dick Porter, Tom Arrigoni, Richard Parmelee, Karen Avitabile and other townspeople who wandered in and out during the meeting.

The Board discussed Highway Capital Equipment needs with Anton Zimmer; some other members of the Truck Selection Committee were present but did not speak. M. Boord reported that Geoffrey Colegrove, Town Planner, had given her some information to consider about a sweeper purchase: Portland spends \$1,500 every two years to replace the brushes on their 1980 model; they have 56 miles of roads to sweep; also they spend \$1,000 annually on replacement parts which doesn't include preventive maintenance. Portland has a chip seal program and they do 1/3 of their roads each year; sweeping once before and once after the 1/3 is chip sealed.

M. Boord also reported talking to a professional about costs to repair our chip spreader; Mr. Wright (the professional) estimated \$31,228 to repair, without them examining our spreader; the cost of the professional assessment would be \$600-\$700. Mr. Zimmer noted that for two years in a row, they have lost rollers; a company will recommend complete replacement when that happens. Mr. Zimmer stated that the town can certainly afford to spend \$60,000 to purchase a new machine. H. Curley stressed that the Board wants to know the condition of our machine as it is now, which is the prudent use of tax money.

Motion F. Korn that we ask for a professional assessment of cost of repairs needed for our chip spreader; the company should come to the town to do the assessment; seconded by H. Curley; 3 ayes.

Motion M. Boord to approve the minutes of December 8, 1988, and December 15, 1988. H. Curley wished to amend that at the bottom of page one of the 12-15-88 minutes, it should not read as a 10 year study, but a 10 year plan. Second to the amended motion by H. Curley; 3 ayes.

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Motion M. Boord to approve the minutes of January 5, 1989; seconded by F. Korn; 3 ayes.

Motion by M. Boord, second F. Korn, to approve the minutes of the meeting of February 2, 1989, vote: aye (Boord, Korn); abstain (Curley); motion passed.

Motion M. Boord, second F. Korn, to approve the minutes of March 2, 1989, and March 4, 1989; 3 ayes.

Motion M. Boord, second F. Korn, to approve the minutes of the meetings of March 6, 1989 and March 10, 1989; 3 ayes.

Motion M. Boord, second F. Korn, to amend and then accept the minutes of March 13, 1989, with the following addition: to the Highway Cap. Equip. budget: "The Board of Finance will fill it in if that's where they choose to enter the \$90,000 estimate for the highway equipment;" 3 ayes.

Correspondence:

1. Reminder that the annual Midstate Regional Planning Agency meeting is April 4th.
2. Letter from Elaine Yakey, Library Board of Trustees, asking for open session when the Job Study presentation is made, when Library positions are discussed.
3. Letter from the Registrars of Voters requesting their reimbursement be reported on W-2 forms instead of 1099 (which denotes self-employment) for tax purposes. H. Curley suggested checking with the payroll clerk.
4. Notice of the CCM breakfast and rally on March 21st re aid to cities and towns; opportunity to meet individually with legislators. M. will attend the breakfast, but not sure about the rally.
5. Letter from Attorney Kenneth Antin of Poliner, Poliner & Rosen re road status; will be an upcoming agenda item. F. Korn suggested forwarding copies to the Planning and Zoning commission for their comment and then add to the Agenda.
6. DOT letter recommending NO THROUGH TRUCKS restriction on Haddam Quarter Road.
7. Letter from Thompson Home Care and Supply Co., who were displeased with our bid process on the reroofing project.
8. Unemployment rate January 1989 2.6%.
9. Letter from Elizabeth Dearborn, Wheeler Hill road, re drainage from the hill behind her house. M. Boord referred it to the Zoning Enforcement Officer and he had already been on site. Mrs. Dearborn

attended the PZC meeting of 3-15-89, and they're checking it out. Update from the First Selectman:

1. Snow removal Ordinance: she wants to wait until the new fiscal year begins for counsel review, due to overrun in legal account.

2. Rt 68 town line sign not accurately placed; she's talked to Robert Bascom, Surveyor, and he will check it out while he's surveying at Tilcon Tomasso.

3. Board of Selectmen's meeting for March 27th at 4 p.m.: she'll meet with Dick Davis on March 21st, then meet with Personnel Policy Board on the 23rd.

4. Valerie Harrod, Librarian, wants to allow PALS to sell old tables, etc. being stored in the library. H. Curley suggested having other town commissions look it over first.

5. State Senator Thomas Sullivan will have an "Open Forum" in Town Hall on April 8th.

6. Toll free dialing to Hartford will begin in September 1989.

7. Talked to Town Counsel Kenneth Antin on two subjects:

a. IWWCA revision: he doesn't think the revisions need charter change at this time.

b. Harvey Road: we do not have to have an easement or formal acceptance to add to the TR37 listing, which automatically makes it a public highway. M. Boord will discuss maintenance questions with the Department of Transportation. Mr. Curley asked for time to review Mr. Antin's opinion more closing as it addresses the status of roads.

8. Sgt. Leonard, who is retiring soon, brought Sgt Shia, his replacement, in to meet the First Selectman. He's willing to come to a Board of Selectmen's meeting to meet with the constables-in-training before they are assigned to duty.

9. Leo Willett, Director of Health, has asked the First Selectman and Board to consider licensing for food establishments, which are inspected every year for a fee. We presently charge \$25; if the Health Department inspector has to return for followup inspection. He also wondered if the Board wishes to publish the results of the inspections. Mr. Milardo, Assistant Health Officer, can furnish sample ordinances. F. Korn said to ask Dr. Willett to come up with some sort of proposal.

* * *

Presentation by Joseph Borkowski (Attorney), Russell Smith (Builder), and Robert Ward (Surveyor), relative to a proposed subdivision of the Henry Bugai land off Route 157, as follows:

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There are 120 acres of land in the Bugai parcel, Mr. Borkowski and Mr. Smith have an interest in the 70 acres in Durham; the other 50 acres are in Wallingford. The proposed density is 1 home to 3 acres. The problem is that Powder Hill Road is an improved dirt road; at Henry's former house, it becomes an improved road which runs back to Route 157, where the egress onto Rt. 157 is very dangerous. They wish to change the configuration of Powder Hill Road; however, one portion of the road would have to be abandoned to reroute traffic north of the wetland area between the barns and wetlands; it can be completed with a 4 way stop sign. All traffic from the entire 120 A parcel has the probability of exiting by Powder Hill Road. Midstate will set the best point of entrance to Route 157; they have met with Mr. Colegrove, Town Planner, and the Planning and Zoning Commission and Mr. Colegrove suggested they come before the Board of Selectmen. First they must know what can not be done with the road; is there any chance that the section of road could be abandoned? If yes, Bugai can deed the land to the town and very soon the parcels shown on the draft drawings will be tested to see if the plan they have is possible. Discussion of realignment of roadways within the subdivision and entrance to Route 157. Midstate RPA will begin traffic volume counts Monday for the area. Mr. Borkowski said there will be a meeting onsite April 1st addressing the issue that PZC has to decide the nature of the road and drainage provided to the lots. If abandonment is likely, PZC will know which direction to take. Will certainly be helpful to know if the town's support is here. F. Korn suggested a public hearing to see what the townspeople say; M. Boord noted that town meeting has the final say as to abandonment of roads.

The second issue addressed by Mr. Borkowski was the matter of the 50 acres in Wallingford above the town line. Under Wallingford regulations, Bugai can't develop the 50 acres because there's no access to a Wallingford town road. He explained that Mr. Bugai has three options: sue Wallingford for taking their land; go to Wallingford to get a variance; deal with the Town of Durham so that the Town of Durham can get the land from Wallingford. The latter is preferable to Wallingford, but such a move is not an easy thing...it takes a legislative mandate, which can take years. Mr. Borkowski added that the watershed in the Wallingford acreage runs from the top of the ledge into Durham's aquifer system; this move could logically protect our watershed. Mr. Borkowski, Mr. Smith and Mr. Ward left the meeting. Mrs. Boord asked G. Colegrove for comments: he noted that land swaps in Connecticut are rare and take many years to accomplish; there is some logical basis for watershed concerns; suggested we contact the Department of Transportation to get our contacts down here as soon as possible for the meeting on March 28th.

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Budgets:

#1531 Building/Health/Engineering (revised) \$113,845; Motion M. Boord to approve without the payroll item being considered; second F. Korn; 3 ayes.

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#2001 Inland Wetlands and Watercourses Agency \$2,365; Motion to approve by M. Boord, second F. Korn; 3 ayes.

#2006 Planning and Zoning Commission (revised) \$50,551 Motion M. Boord to approve, second F. Korn, 3 ayes.

#2011 MLTF Motion M. Boord, second F. Korn, to approve \$1.00; 3 ayes.

#3004 Highway Department Motion M. Boord, second F. Korn, to approve \$478,647; 3 ayes. Line item includes summer help, change in road foreman's salary (which is also subject to upcoming salary review); and the contracted mower is removed. Re Road Foreman's request for petty cash fund: M. was not in favor; H. said he can use the Selectmen's and F. concurred with H.

#4001 Civil Preparedness \$7,765 Motion M. Boord, second F. Korn, to approve; 3 ayes. This is 100% state reimburseable.

M. Boord told the Board that the Board of Finance asked her to prioritize the highway projects, so she had enumerated them as follows:

1. Howd Road widening to go with bridge project;
2. Bear Rock Road;
3. Rock cut, Haddam Quarter Road;
4. Maple Ave. from Stahl's to Patterson's driveway;
5. Route 17/Maple Ave.

Selectmen's Concerns:

1. H. Curley: re news media; he wants to incorporate the Groton way of handling news media coverage. Board agreed.

Public Comments:

1. Richard Parmelee:

a. In 1974, town meeting voted not to abandon roads but they did abandon one. David Road business was done at great expense to the town.

b. Re legal costs, expenses David Road: at budget meeting, townspeople agreed to spend much less money than was expended. The \$39,000+ is not a full totaling because property owners have not come to an agreement with the town. M. Boord said the town has not paid any David Road residents' bills. The town did share information of mutual interest with them, however. Mr. Parmelee questioned the Conklin & Soroka \$4,000 bill. M. Boord again stated that the David Road costs were charged to no other line item, just the Town Counsel budget. Mr. Parmelee asked if financial payments are on our computer; these figures were much over the authorized figures. M. Boord explained that when the town entered the trial, we were in line with our counsel expenses...that sometimes budgets have to go over the budgeted amount and it can't be planned for. Further discussion of the trial.

c. Discussion about the town truck that burned. He speculated

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that too much time elapsed before Mr. Bober put the call in to any authorities. M. Boord said the Fire Marshal investigated the incident and his conclusion is that what Mr. Bober said to have actually occurred, he felt it really did happen that way.

d. Feels the Board of Selectmen is allowing some costs such as legal ones to run amuck.

e. Asked for an accounting of \$1,045 FOI hearing expenses. M. Boord replied that the first one cost \$1,045 and the second one she did by herself, after one short conversation with Counsel.

f. Asked the Board of Selectmen to address the Board of Education budget when it comes up.

g. Asked if any more Parmelee Hill Road residents complained about the stop sign. M. Boord explained she either receives compliments or criticisms. Mr. Parmelee said he's been watching the stop sign and saw 2 patrol cars go through the stop sign.

Motion to adjourn at 9:12 p.m. by M. Boord, second H. Curley; 3 ayes.

MPB:dda

TOWN OF DURHAM

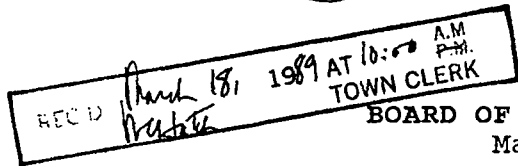
VOTES ONLY



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The following is a list of votes taken:

Motion F. Korn, that we ask for a professional assessment of cost of repairs needed for our chip spreader; the company should come to the town to do the assessment; seconded by H. Curley; 3 ayes.

Motion M. Boord to approve the minutes of December 8, 1988, and December 15, 1988. H. Curley wished to amend that at the bottom of page one, it should not be a 10 year study, but a 10 year plan. Second to the amended motion by H. Curley; 3 ayes.

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BUDGETS:

#1531 BUILDING/HEALTH/ENGINEERING (REVISED) Motion M. Boord to approve (without payroll included) \$113,845; second F. Korn; 3 ayes.

#2001 INLAND WETLANDS AND WATERCOURSES AGENCY Motion M. Boord to approve \$2,365; second F. Korn; 3 ayes.

#2006 revised PLANNING AND ZONING COMMISSION Motion M. Boord, second F. Korn, to approve \$50,551; 3 ayes.

#2011 MUNICIPAL LIABILITY TRUST FUND Motion M. Boord, second F. Korn, to approve \$1.00; 3 ayes.

#3004 HIGHWAY MAINTENANCE BUDGET Motion M. Boord, second F. Korn, to approve \$478,647; 3 ayes. Re Mr. Zimmer's request for his own petty cash fund: M. Boord said she has an aversion to petty cash funding; F. Korn and H. Curley said he can use the Selectmen's.

#4001 CIVIL PREPAREDNESS Motion M. Boord, second F. Korn, to approve \$7,765; 3 ayes. It is 100% reimburseable from the state.

Motion to adjourn at 9:12 p.m. by M. Boord, second H. Curley; 3 ayes.

dda
3-17-89
just votes
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