TOWN OF DURHAM

Office of the First Selectman
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(203) 349-3625

Maryann P. Boord
First Selectman

RECD 7-20-1990 AT A.M. P.M. TOWN CLERK

BOARD OF SELECTMEN'S MEETING
July 19, 1990

The meeting was called to order at 4:00 p.m. by First Selectman Maryann P. Boord; also present: Francis E. Korn, Selectman; Gladys B. Lavine, Selectman.

Insurance coverage for Town Committees

Janet Muraca, Insurance Coordinator, was present. She explained that a Certificate of Insurance is requested from non-town committees noting their limits of liability and a signed indemnification form.
Town commissions, etc., are automatically covered by the town's policy, but "outside" organizations such as town committees are not covered. The Board of Selectmen can waive minimum requirements. CIRMA recommends a minimum of $500,000. When the town permits a waiver, they must assume the responsibility for the difference.

F. Korn asked J. Muraca if she had asked other towns how they handle insurance for town committees. She replied that she spoke with Cheryl Eckert of CIRMA who said it is at the town's discretion. G. Lavine wanted to know what the risk was to waive insurance for town committees, as there is no decision-making liability. J. Muraca explained that there could be medical claims in the event of an accident, etc. F. Korn asked what the cost to extend coverage to town committees could be. J. Muraca responded that the Board can waive that and assume full responsibility; she cautioned the Board about setting a precedent. Previously, the Garden Club had to find another place to meet because of the insurance question, but F. Korn noted that the town committees are mandated to meet and act.

M. Boord noted that the Republic Town Committee has coverage of $300,000. G. Lavine expressed her concerns about the possible future changes in insurance needs and costs and the town committee's fundraisers; they have no options about their meetings: they are not a regulatory agency and are not open to the public; they have a general coverage for events and occurrences. J. Muraca said we are trying to reduce any risk to the town. M. Boord said she is concerned about setting a precedent which could be contested.

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G. Lavine reiterated she doesn't think the town has the authority to tell town committees they have to provide any insurance coverage. J. Muraca said she tries to be consistent with all. G. Lavine said she will discuss this matter further with the Chairman of the Democratic Town Committee and see if she cares to pursue it. She is also awaiting information from an attorney for the State Democratic Committee.

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Executive Session

MOTION M. BOORD, SECOND F. KORN, TO MOVE INTO EXECUTIVE SESSION RE PENSION PLAN; 3 AYES. Present: Board of Selectmen, Mary Jane Jewczyn (Bd/Finance), George Eames (Bd/Finance), Mike Callahan (PenTec representative), Rosemarie Naples at 4:30 p.m. (Bd/Finance).

MOTION M. BOORD, SECOND F. KORN, TO MOVE OUT OF EXECUTIVE SESSION AT 5:00 P.M.; 3 AYES.

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Pension Plan

MOTION M. BOORD, SECOND F. KORN, TO MOVE THE APPROVAL OF THE UNION CONTRACT NEGOTIATIONS/PENSION PLAN AS PRESENTED BY MIKE CALLAHAN OF PENTEC, INC.; 3 AYES.

Appointment

MOTION M. BOORD, SECOND F. KORN, TO APPOINT MARK SPATUZZI TO BE THE LIASON TO THE HUMAN RESOURCES COMMITTEE FOR THE NEIGHBORHOOD ASSISTANCE ACT; 3 AYES.

Tax Rebate

MOTION M. BOORD, SECOND F. KORN, TO ALLOW A TAX REBATE OF $70.84 TO FLOYD C. FERGUSON, AS REQUESTED BY THE TAX COLLECTOR; 3 AYES.

Minutes

MOTION M. BOORD TO APPROVE THE MINUTES OF THE JULY 5, 1990, MEETING. G. LAVINE REQUESTED A SPELLING CHANGE FOR THE WORD "spigot"; MOTION SECONDED AS AMENDED BY F. KORN; 3 AYES.

Correspondence

1. **Lawsuit** notification: H. Field vs Historic District Commission.

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2. Letter from Jessup re **trailer on Tuttle Road.** M. Boord will discuss the matter with the ZEO.

3. **Unemployment May 1990 4.2%.**

4. Letter from Jackie LaBella of the **CT Valley Tourism Commission;** notice of receipt of $477.91 in a **matching grant** for the Washington Trail 10K road race.

5. Letter from Robert Melvin, **Conservation Commission,** re establishment of an ordinance relative to **fuel storage tank** regulations and inventory; the letter has been forwarded today to Tony Satagaj, Building Official.

6. Letter from **CCM** asking for suggestions for upcoming legislative session; deadline August 15th.

Public Comments

none

Selectmen's Concerns

G. Lavine questioned the **Cream Pot Road lawsuit** mentioned in the newspaper. M. Boord explained that it is the one brought against the Planning and Zoning Commission re the **TR-37** map; she will attend the court proceedings; the subject is "pending litigation" and no further public discussion allowed.

Update From the First Selectman

1. **Allyn Brook Park** has received a grant of $10,000, per legislative act sponsored by David Lavine, State Representative; they have also been awarded a $28,000 DEP grant for which Marcia Kalayjian, member of the Park Committee, has been commended. G. Lavine clarified the point by saying she believes the $28,000 grant is dependent upon the town raising the rest of the money.

2. Talked to Connie Chamber, **FOI;** the Board of Selectmen no longer has to **post meetings** when they attend meetings with other groups if they do not intend to conduct business. A **workshop** will be set up in the fall.

3. **OSHA/Fire company concerns:** she will be talking to OSHA to address concerns about the fire company. One item OSHA questioned - the HAZMAT certificates- the fire marshal had. The Fire Co. has already begun to address the concerns mentioned. The officers of the company have voted to pay the $300 fine and will bring that recommendation to the entire company for a vote.

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Allyn Brook Park Resolution

MOTION M. BOORD, SECOND G. LAVINE, TO APPROVE THE [attached] RESOLUTION RE ALLYN BROOK PARK; 3 AYES:

M. Boord said she will send a letter of thanks to David Lavine, State Representative.

Adjourn

MOTION M. BOORD, SECOND F. KORN, TO ADJOURN AT 5:22 P.M.; 3 AYES.

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First Selectman

RESOLUTION

BE IT RESOLVED THAT: The First Selectman is hereby authorized to execute and file applications and agreements on behalf of the Town of Durham with the Commissioner of Environmental Protection for state grants pursuant to the provisions of Special Act No. 90-18, Secs. 1 and 26 (a), relative to a grant to the Town of Durham for the development of the Allyn's Brook recreation area and to execute on behalf of the Town of Durham all the applications, instruments and documents and accept payments and do all things that may be necessary for state grants for:

FOR THE DEVELOPMENT OF THE ALLYN'S BROOK RECREATION AREA

Approved at the Board of Selectmen's Meeting of July 19, 1990.

Maryann P. Boord

Maryann P. Boord, First Selectman